

Fort Lauderdale City News

FORT LAUDERDALE EXECUTIVE AIRPORT: AIR TRAFFIC IS GROWING - A LOT

Large New Air Traffic Control Tower planned at Fort Lauderdale Executive Airport - Why's That?

Noisy air traffic in and out of this sixty-year old airport, and over neighborhoods, secretly continues to go up with no neighborhood input

By Steve Kelley

Fort Lauderdale's Executive Airport (FXE) is building a much larger control tower to handle its ever increasing air traffic. And they have told us nothing about it.

Take a visit, drive around, and look at what's going on at this airport. If you care about air traffic over our homes around FXE you should be very alarmed.

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Is this your picture of the Fort Lauderdale Executive Airport? You are way wrong. There are now big aircraft operating out of this airport. Thirty passenger airplanes are now routinely flying out with more and more air traffic to come. Own a home near our "sleepy" little airport?

Ft. Lauderdale City News

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CITY-WIDE VOLUNTEER RECOGNITION EVENT SET FOR APRIL 26

Show your support for our city's great volunteers - and have fun, too!

by Steve Kelley

The Fort Lauderdale City News will proudly host its First Annual city-wide Volunteer Recognition Event on April 26. Shooters Restaurant, on the Intracoastal, has generously provided their facility for this great event.



Former City Commissioner Tim Smith will be the evening's Emcee and will recognize and honor our many excellent neighborhood volunteers in Fort Lauderdale. Tim says, "Join us on April 26 at Shooters for a good time and lots of fun."

We will recognize, and appreciate, the fine volunteers from our 62 neighborhoods who have made our city great. There will be many categories covering all aspects of service and giving.

If you know an excellent and deserving volunteer in your neighborhood or organization, please send a nomination along with a short paragraph describing their volunteer activities to steve@citynewsfl.com. Final nominations are due no later than April 10.

The festivities start at 6:30 PM and continue to 9:30 PM in Shooters' second floor conference room.

Sponsors are welcome - if you have an interest in building goodwill in the community, call Steve Kelley at (954) 564-1308. Appetizers will be served and there is a two drink minimum which helps support the event.

See you there!

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Most residents don't want more air traffic over their homes. They certainly do not want FXE to become a bigger threat to the community.

Built sixty years ago, it was never intended to handle today's exceedingly heavy air traffic. How many planes more than 50 years old are flying in and out of the Executive Airport? Who is inspecting the condition of these planes prior to departure? One wonders who is watching over the safety of surrounding neighborhoods impacted by FXE.

Community leaders learned from a panel of five FAA representatives that the funding for FAA inspectors on the ground at South Florida airports had been cut back dramatically by the Bush Administration budget then supported by Congressman E. Clay Shaw.

This resulted in the pilots at the local airports operating without oversight

which is approximately 1/2 mile south of residential neighborhoods rather than a straight out, easterly heading. Call the Airport hotline number 954-828-6666 if you are tired of the noise.

Crashes - Hush Hush, Secret

How many crashes have occurred from the flights departing and arriving at the Executive Airport? Call them (954-828-4966) yourself and ask for a straight answer; It is very hard to get. Ten crashes were reported at FXE from a five year period (1996-2001).

Everyone remembers the crash most recently on Northeast 56th Street on the border of Imperial Point and Coral Ridge Isles subdivisions, when a DC-3 cargo airplane narrowly missed six houses. The pilot was lauded as a hero but those of us in this community asked many hard questions. Miami U.S. Attor-

mas. Minutes earlier before the ill fated DC-3 crash, school buses from Westminster Academy were enroute delivering summer camp children home on the same street that the crash occurred. Had the plane veered north 1/4 mile, it would have crashed into Pine Crest School. As it was, the plane narrowly missed North Ridge Hospital (and Coral Ridge Presbyterian), where doctors and nurses saw the plane descend and reported to their Administration to get ready for a major catastrophe.

As reported in the local newspapers, this was the community's "worst nightmare."

Christine Teel and Jim Naugle continue to refuse to appoint (despite campaign promises) proactive neighborhood activists who actually live in the flight path of the Executive Airport to the Aviation Advisory Board. It seems you have to be in favor of unlimited air traffic and growth to be allowed on this board.

was no Town Hall Meeting where we could have a say about air traffic.

Foreign-Trade Zone

Foreign-Trade Zone (FTZ) is an area that, for U.S. Customs purposes, is considered to be in international commerce. Any foreign or domestic material can be moved into an FTZ without being subject to U.S. Customs duties. This FTZ is operated as a public venture sponsored by City of Fort Lauderdale. With the arrival of the Foreign Trade Zone, does that mean that the Executive Airport is being used more as an industrial airport for the import and export of heavy cargo loads? The FTZ is a federal program to defer, reduce, or even eliminate costly Customs duties on products imported into the United States. Companies previously operating at the Fort Lauderdale International Airport have diverted cargo flights to the FXE putting us all in harm's way.

U.S. Customs makes Change in Hours- No Public Input

Last year, FXE staff quietly secured expanded operating hours until 9:00 pm for its U.S. Customs facility. Now tourists from the Bahamas can enjoy a little more time on their beaches and then fly later in the day over our neighborhoods until 9:00 pm, seven days a week, and still have time to clear customs. They used to have to clear customs at our International Airport. For residents, that means an increasing, steady stream of flights going over our houses every Sunday evening from the Bahamas. Strangely, there

Industrial Airpark

Other companies are also moving to FXE from the Fort Lauderdale International Airport. These include engine repair companies and many other related businesses. FXE's 200-acre Industrial Airpark offers more than 1.5 million square feet of prime office, warehouse and manufacturing space. Expect to see more aviation related businesses coming in with their own fly-in airplane customers.

Last, Fort Lauderdale's International Airport is expanding and pushing more and more air traffic, and its related services, to FXE.

Shouldn't we have a voice about this threat to our neighborhoods?

Mayor Naugle and our City Commissioner Christine Teel can be reached at (954) 828-5003.



Here's a brand new "terminal" at FXE designed to handle who knows how many flights every day. Why do we need a terminal for pilots of private aircraft? Answer: more and more commercial flights are now using FXE; did anyone ask you if this OK?

thus threatening the safety of surrounding communities. There should be a priority in Congress to fund the FAA to identify and supervise "Bandit" operators who don't follow the rules and other important procedures designed to protect our neighborhoods from excessive noise and worse.

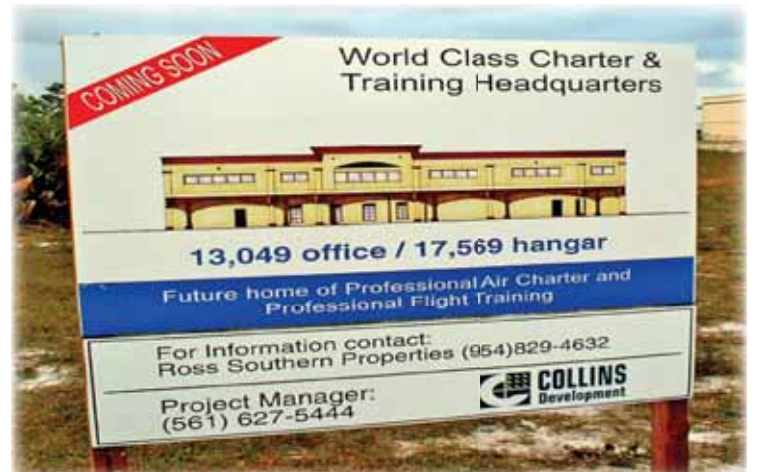
The FAA Air Traffic Control Branch should extend the hours and make mandatory the I-95 turn for all aircraft leaving FXE to reduce aircraft noise over our residential neighborhoods. At present, they are only routing 80% of the traffic in the proper corridor required by the FAA.

Currently, Neighbors are reporting a big increase in airplane noise in the middle of the night over the neighborhoods. In the event that aircraft must take an easterly departure, Air Traffic Control should require aircraft to travel over the Commercial Boulevard corridor

ney R. Alexander Acosta called for an investigation focusing on the Fort Lauderdale Executive Airport and its "bandit" companies.

The real issue is the safety risk to the community when "Bandit" operators push the envelope to the maximum; be it in the area of maintenance, licensing, or weight limits, in the interest of short term profits. Usually these operators are marginally funded and do not have strong balance sheets. Our FAA should have enough inspectors on the ground to constantly inspect them.

On the one year anniversary of the June 13th DC 3 crash, the Miami Herald reported that a 20 count Grand Jury indictment was handed down charging the pilot with operating a plane in air commerce illegally and failing to file a customs declaration for the load of granite (newspapers reported close to 5,800 pounds), he was carrying to the Baha-



A sign of things to come? Big development is coming to the Fort Lauderdale Executive Airport. Ever wonder what "executive" means? Does that mean that the "sky's the limit" for an infinite expansion of all kinds of air traffic?

The Fort Lauderdale City News is published monthly by City News and serves the 176,000 residents of Fort Lauderdale. Stephen M. Kelley, publisher, can be reached at (954) 564-1308.

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AIR & SEA SHOW

The Air & Sea Show, is set to take off May 5 - 6, 2007 on Fort Lauderdale Beach. Part of McDonald's National Salute to America's Heroes, this two-day extravaganza has something for everyone, including world-class military and civilian air, water and entertainment activities.

The National Salute begins with Fleet Week, which will take place April 30 - May 6, 2007. Thousands of sailors and several Navy ships will berth in Port Everglades for community service projects during this annual celebration.

This year's show will feature the U.S. Navy Blue Angels Demonstration Team and the Canadian Forces Snowbirds. The show includes the finest civilian and military performers in the country, with participants from all five branches of the U.S. military.

The Air & Sea Show will take place along Fort Lauderdale beach, between Oakland Park Blvd. and Las Olas Blvd. and is free to the public. For specific event information, including road closures and safety advisories please visit <http://www.nationalsalute.com/>



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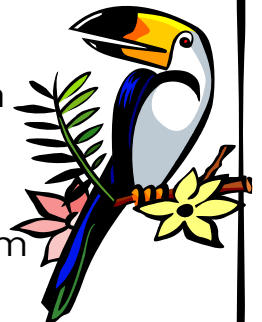
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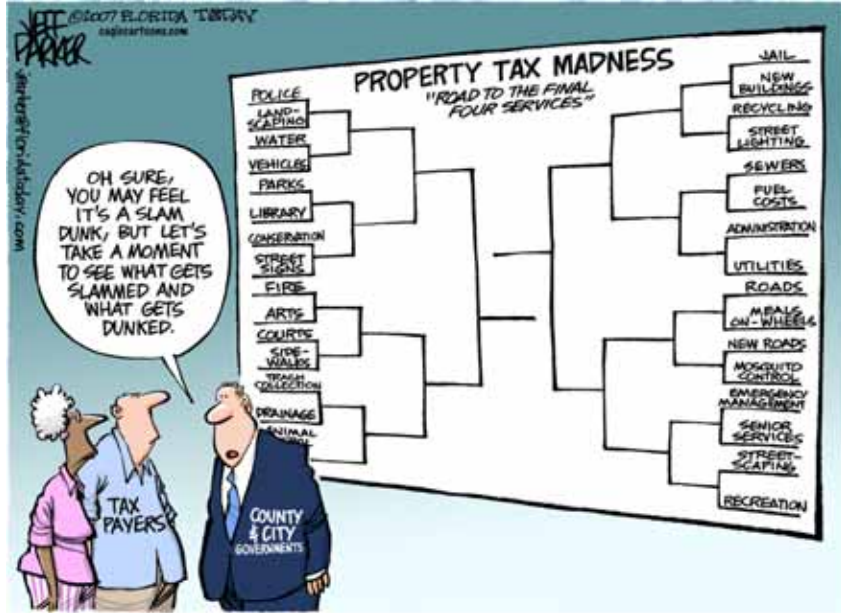
BALANCING TAX RELIEF AND VITAL LOCAL SERVICES

By Kristin Jacobs
Broward County Commission –
District 2

As a taxpayer and County Commissioner I recognize the need to review Florida's antiquated tax structure. My work as a Director of the Florida Association of Counties (FAC) offered me

state-program costs onto counties.” The tax reform debate requires leadership at all levels of government. This debate should not be driven by polls, bumper-sticker politics or 30-second sound bites. State Law and Florida's Constitution control the way property taxes are assessed and caps property taxes at \$10 for every \$1,000 of taxable value for each jurisdiction. The benefits of Homestead Exemption and Save Our Homes tax caps are expressly preserved in Florida's Constitution and only Florida's voters can change our State's Constitution.

limited operation. Regulatory agencies including permitting, building and environmental inspections and consumer protection programs would suffer a dramatic reduction. Mass transit routes will be cut; assistance programs for our children and the elderly will likely be reduced to mandated requirements. The second step of the Florida House plan would ask voters to eliminate property taxes for all Florida residents who currently enjoy the benefits of Homestead Exemption. Commercial and investment properties will continue to pay property taxes. Plus, voters will be asked to approve a state sales tax increase from 6 percent to 8.5 percent to offset the property tax loss. City and County governments would be asked to “trust” Tallahassee to return sales tax dollars to local government. The House Plan has been moved through the Committee process and is scheduled for debate soon. The Senate will also debate the issue and various other tax plans being discussed may gain support as the 60-day Legislative Session continues through April.



the opportunity to participate in FAC's Property Tax Workgroup. As you might imagine, I have learned a lot about the way Florida's 67 counties spend your property tax dollars. Our research shows huge increases in the amount of money used to expand police and safety services, cover hurricane related losses and to provide roads and schools due to increasing populations. Escalating costs, including fuel, electricity and construction materials, as well as property insurance premiums on county facilities have to be factored into our budgets, too. Broward County alone expanded roads and services for the more than 200,000 people added to our community since 2001.

Broward County is also juggling an array of federal and state mandates which require us to fund certain Medicaid costs, court cost, juvenile justice programs, and health costs for the uninsured as well as state regulated pensions. These and other mandated services have added \$58 million a year to Broward's budget. A recent Miami Herald Editorial commented, "Scapegoating local governments is also hypocritical of a Legislature that likes to dump

In 1998 Florida's voters also approved a Constitutional amendment which required the creation of a 25-member Taxation and Budget Reform Commission. As it happens, this Taxation Reform Commission began its review almost simultaneously with the beginning of the 2007 Session of the Florida Legislature this March. Yet, just as the Commission began its deliberations, Speaker of the House Marco Rubio announced his own fix for our State's taxing dilemma. The first step in Speaker Rubio's plan calls for a roll back of property tax rates to 2001 levels. The measure would also cap annual budget increases to the national Consumer Price Index (CPI).

The impact of a roll back to 2001 revenues will mean a loss of \$226 million or 25% of the County Commission's total budget. A funding loss of this magnitude will result in extraordinary reductions to vital county services including police, fire and emergency service. Additionally, Broward has a number of libraries and parks under construction as a result of voter approved bonds in 1998 and 2002. Under the Legislature's plan it is likely the funds to operate, maintain and staff these facilities will allow for

I recently returned from scheduled trips to Tallahassee and along with my colleagues on the County Commission, I have fought for a change in our property tax structure that is balanced, thoughtful and carefully considered. I believe the Legislature should give the Taxation Reform Commission time to do its work. The Legislature should not short-circuit this process with their own quick-fixes, leaving us with a future of unintended consequences in need of another fix. Florida taxpayers have not asked the Legislature to diminish their quality of life. It would be very unfortunate to turn a crisis into a disaster.

I urge you to call your city officials and ask how they are planning to deal with their services if taxes are restructured under the House plan. Also, contact your State Representative and State Senator and ask them to work with city and county officials as well as the Budget & Tax Reform Commission to hammer out solutions which establish a balanced tax relief formula. If you need information on contacting your state officials or have questions on this important debate, please give me a call anytime at 954-357-7002. I am also available electronically at kjacobs@broward.org



FLEET WEEK - WHAT IS IT?

By Denise Hein,
Public Relations, Broward County
Council Navy League

Fleet week is an annual event in Ft. Lauderdale. A parade of Navy ships arrive in the inlet to Port Everglades from the mighty Atlantic Ocean the last week of April. As they head toward the various berths, crowds gather early the morning of their arrival on the sea wall near Points of America.

Occupants of five or more condominiums, located in southeast Ft. Lauderdale near the ocean, stand on their balconies to wave American flags, ring bells and wave.

Men and women dressed in their white navy uniforms are seen standing on the decks of these ships. Arms are crossed behind them, in a parade rest stance, to show the onlookers, their ship and their pride in it.

Fleet week was started by the Ft. Lauderdale Council Navy League in the 1980's. Then Broward Navy Days took over the operation in the 90's and now MDM is the organizer of Fleet week and the Air Sea Show. Requests for ships must go through the Second Fleet.

This year the ships are the San Jacinto CG 56, a guided missile cruiser; the Forest Sherman DDG 98, a navy destroyer; the Kearsarge LHD, an amphibious assault ship; the Ponce LPD, an amphibious transport dock, a yet to be determined attack submarine and a coast guard cutter from our own District 7 in Miami.

From April 30th through May 4th, the personnel from these ships will be entertained by the various Navy Leagues in Ft. Lauderdale and Broward Navy Days.

The Broward County Council, Ft. Lauderdale Council, and Broward Navy Days, will host parties for the crew members of these various ships.

The Broward County Council will host a Junior Officers' party May 1. It will be held at the Riverside Briny Pub, a part of the Riverfront complex.

These young men and women have served their country well. Some have been on two or three six month deployments.

Each one has a special job in the Sea Services. They are well trained and can only bring pride to a country that is vulnerable, with water on three sides.

The Navy Leagues' goals are to educate national leaders and the nation; provide support to the men and women of the sea services, provide and assist the sea services and support youth programs.

For membership or more information call 954-973-7814 or 954-389-0545.

MIDDLE RIVER TERRACE'S FESTIVAL A BIG HIT

Dog Day event brings neighborhood together, raises money

MIDDLE RIVER TERRACE FESTIVAL "Dog Day in the Park"

Neighborhood shows the city how to run a great event

By Dick Eaton

Sunday, March 18th was a great day in the Middle River Terrace neighborhood!

The weather was beautiful and the sun shone down on what was to be the best "dog day" ever.

Serenaded by the steel drums of the Angle Tones to the bluesy melodies of Outta D' Blues, over 35 dogs paraded around the ring, vying for the coveted title of "Best of Show."

As the crowds made their way into the park with their pets in tow, the smell of hotdogs and hamburgers began to drift through the air creating a festive aura. Folks began to socialize, sharing dog stories and making new friends, some rekindling friendships from days past.

As the children piled into the Scooby Doo bounce house you could feel their excitement as it seemed to spread throughout the crowd. Bounding from game to game, from the Fire Safety house to the sno-cone machine, the joy in their faces brought memories to all of us from days gone by.



Suspense was in the air as folks pondered which of the many wonderful raffle items they wanted to take a chance on.

From national championship baton performers to the wonderful talents of the young musicians who made up the jazz ensemble Zing, the day had something for everyone.

As the day drew to a close it was evident from the comments that this had been an exceptional event, and especially to those whose dogs were prancing out with ribbons attached.

Yes, the sun shone down on the Middle River Terrace Park on Sunday and we who live here have every reason to be proud as we bask in its radiance.

See you next year!



FIRST ANNUAL RED HOT HIBISCUS GALA COMING APRIL 21

One of the oldest volunteer service organizations in the city, The Fort Lauderdale Woman's Club is holding a major fundraiser. On Saturday, April 21, 2007, the Fort Lauderdale Woman's Club will host its "First Annual Red Hot Hibiscus Gala." The proceeds from the event will be used to renovate the Woman's Club headquarters, the little pink building nestled in the midst of Stranahan Park. Built in 1917 on land donated by Frank and Ivy Stranahan, the structure serves as home to the Club.

Founded on January 11, 1911, some three months before the city of Fort Lauderdale was actually incorporated, the Woman's Club has been responsible for an impressive list of civic improvements in Fort Lauderdale. The club was instrumental in starting a volunteer Fire Department in 1912. Their book drive in the early 1920s led to the development of the library system as we know it today. They contributed many of the royal palms that grace Las Olas Boulevard and they were

responsible for naming Port Everglades.

The clubhouse, however, has fallen into disrepair. Both the test of time and the storms of the past few years have taken a toll on the structure. And, while the building has received historic designation status, significant renovation is required. As both the Woman's Club – and the city itself – approach their centennial anniversary, a campaign to preserve this historic downtown structure, and prepare for its second century in downtown Fort Lauderdale, is being launched.

The gala will feature a cocktail party, dinner, live music – plus a silent and live auction. We need your help. If you have items to donate – please contact 954.761-9407 and we will arrange to collect your item(s).

Tickets for the event are available, call 954.761-9407 and reserve your place in this fantastic event. Tickets are \$150.00 per person. Donations are gratefully appreciated and will expedite the wonderful restoration. You may mail to: Fort Lauderdale Woman's Club, PO Box 2487, Fort Lauderdale, FL 33303





Coming Attractions

Arts Showcase



Our **Arts Showcase** brings you an expanded horizon of the arts and entertainment in Fort Lauderdale. We showcase local talent and the sponsors, benefactors and supporters who work to make our local arts scene bright and vibrant. This special section is dedicated to, and supports Fort Lauderdale's Arts Community.

Artists! Reach private collectors, galleries, interior designers, art in public places decision makers, booking agents and directors.

If your business markets to the local arts community - art & framing supplies, cameras, video equipment, electronics, computers, musical instruments and performance costumes, or caters to artistic tastes - be a part of our premier issue in May.

Ad rates are affordable. For more information call **Monica A. Harris at (954) 588-4970.**

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Beautiful Sails Project coming to Port Everglades

Special project has full support of the neighborhoods

PINK PLAZA TO BE REPLACED WITH STUNNING NEW DEVELOPMENT

by Steve Kelley

The Sails project has undergone a rigorous 15-month design process to achieve what the Developers believe will be a signature property for the City of Fort Lauderdale.

"It was actually residents of the neighborhood that urged us to acquire the adjacent Pink Plaza parcel and merge it with our existing property (the former Best Western Marina Motor Inn). The surrounding neighborhood residents believed that a unified development would ultimately benefit the local economy and better serve local residents. It was a challenge, yet we were able to accommodate that request and we believe it was indeed the right choice for this project."

to these three categories without maximizing density." The proposed project is actually one third of the density permitted on the B-1 zoned site.

Project architect Jenifer Briley, AIA, created a three component structure consisting of a 350-room hotel, retail shops, and dry storage for vessels up to 50' in length, all of which are strategically positioned to streamline their use while interconnecting their functions. It was important to create a unique

design without falling into the traps of traditional box-like structures Mastriana said. The sleek modern design possesses marine-like shapes and features utilizing contemporary materials while blending with the existing surrounding structures. There is no back of the house in the Sails project; it is a 360 degree design possessing unique features from every view. Its signature feature will be its namesake of six 120-foot sails suspended on the north facade facing 17th Street Causeway. "Our landscape architect EDSA also did a tremendous job creating a lushly landscaped property. Not only does it exceed the minimum required standards two fold, but both landscape architects Bob Dugan and Jeff Suiter selected a variety of native plant and tree species to blend the property into the established neighborhood foliage. EDSA has created some stunning roof top landscape plans which really enhance the Sails aesthetic value; their work is truly breathtaking and noteworthy."

Some of the special project features include an open hotel atrium situated in the middle of the structure with unimpeded ground views from north to south, a full service European spa, two restaurants open to the public, one of which overlooks Port Everglades, 20,000 square feet of retail shops, and a state-of-the-art full service marina situated on deep water able to serve vessels from 30 feet up to 400 feet. The marina is scheduled for completion in April.

For more information call 954-566-1234.



Owner Tom Gonzales and Developer Ron Mastriana, both residents of Fort Lauderdale and who purchased the former 17th Street Best Western property and adjacent Pink Plaza Shopping Center, began with a specific vision designing what they believe will be one of the finest mixed-use marine oriented projects in the country.

Even more unique, the development team incorporated the surrounding neighborhoods during the design process to ensure the concerns of the residents were heard to promote neighborhood compatibility, which in fact has made the Sails a better project from their contributions.

Developer Ron Mastriana notes:

"This is a special property" Mastriana said, "it is 8.5 acres with waterfront access only minutes from the Port Everglades Inlet. The logical choice was to not only keep the existing marine, hotel, and retail uses, but rather enhance them to attract the world's finest luxury yachts and upscale tourists. Our mixed-use approach addressed three important factors to our local economy: the marine industry, tourism, and the retail market. The Sails development team has successfully designed a signature structure catering

Investors Donate Prime New River Property to The Broward Center for the Performing Arts

The Broward Performing Arts Foundation today announced the acceptance of a donation of prime land along the New River in Fort Lauderdale that will provide the Broward Center for the Performing Arts with a valuable asset as it considers future growth.

Ray Rodriguez, Chairman of the Performing Arts Center Authority, acknowledged the unanimous acceptance of the land gift.

The gift, appraised at \$3 million, comes from a group of investors led by prominent South Florida businessmen John E. Abdo, Frank J. Abdo, Joel Altman and Alan Levan, along with their families and associates. Abdo, who currently sits as President of the Broward Performing Arts Foundation, is also Vice Chairman of Directors of BankAtlantic Bancorp and a well-known residential developer.

Altman, who along with Abdo developed The Symphony, a high-rise luxury condominium across the street from the Broward Center for the Performing Arts, is Chairman of Boca Raton-based Altman Companies.

Located immediately south of the Broward Center for the Performing Arts, the donated site overlooks New River on the Riverwalk.

"This donation has allowed the Foundation to assist the Broward Center as it values future growth options," said Foundation Chairman Robert B. Lochrie, Jr. "It's almost impossible for a non-profit organization to acquire property on the New River, and especially so in the Arts and Science District in the downtown area of Fort Lauderdale. This gift is not only generous from a financial point of view, but is land needed for the Center to grow to serve the community."



L-R Broward Center President/CEO Mark Nerenhausen, Performing Arts Center Authority Chairman Ray Rodriguez, Frank Abdo, Broward Performing Arts Foundation Chairman Buddy Lochrie, Jack Abdo, and Joel Altman.

The lead donors, according to Lochrie, are already generous contributors to the Foundation and the Broward Center. Abdo funded the Abdo New River Room and Altman and his wife, Beverly, established the Joel and Beverly Altman Education Endowed Fund with a gift of \$205,000.

"With the successful development of The Symphony, we had a residual piece of land that was not part of our plans for Symphony, however, it was a natural location for for the Broward Center to use," said Altman.

"This is a beautiful setting and Jack, Alan and I feel strongly about preserving and growing what is one of the finest performing arts centers in the country."

Mark Nerenhausen, President and CEO of the Broward Center, said the gift is "a remarkably generous contribution that reflects the genuine commitment of these community leaders to sustaining the growth of the Center. This donation allows us to build on the vision we share of vibrant, cultural home for the Broward community, one that contributes to the economic vitality of the County and of the region."

The Broward Center for the Performing Arts opened its doors in 2006 to more than 650,000 people, who collectively, have attended 831 performances and other events.

Nearly 150,000 school children and 90 community and local arts groups have participated in programs at the Center in 2006 through one of the nation's most innovative public-private partnerships.

The Broward Performing Arts Foundation is a 501 C- (3) not for profit organization that was created in 1985 to help construct, operate and secure the future of the Broward Center for the Performing Arts. Close to \$40 million has been raised through the generosity of individuals, corporations and foundation. This generated more than \$32 million in matching public funds.

For more information, please go to www.browardcenter.org/support/.



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LEGISLATIVE UPDATE

AT&T BILL SEEKS CONTROL OF CABLE TV

By Wilton Manors City Commissioner
Gary Resnick

The Florida Legislature is in full swing, with bills moving quickly. As we go to press in March, the Florida House of Representatives is expected to pass HB 529, the so-called "Consumer Choice Act of 2007." HB 529 is supposed to create competition in cable TV. This is a great goal, supported by every consumer group and city and county in the state. What it really does, however, is let AT&T provide cable service without having to comply with any city or county rules and actually will lead to less choice and likely higher cable rates.

First of all, we should all be wary of proposed legislation that AT&T and the other big phone companies including Verizon are spending millions of dollars and hiring an army of lobbyists to push through the legislature. After all, when has AT&T looked out for what's best for consumers? If this were such great legislation, why would the Florida League of Cities, the Florida Association of Counties, consumer groups like the Public Research Interest Group (PIRG) and virtually every city and county, including Fort Lauderdale, Wilton Manors, oppose it?

Background

Through local contracts with cable companies, cities and counties are able to exercise certain authority over cable providers. They also get certain services for free for the benefits of their residents. For example, Wilton Manors and Fort Lauderdale obtain free cable and broadband services for their schools, and for government buildings and libraries. In Wilton Manors, alone, these services would cost tens of thousands of dollars per year if the City paid for them. Wilton Manors also obtains the use of fiber lines for free from the cable company for communications between City facilities. If the City had to pay for these communications services, it would cost over \$50,000/year. We have estimated that Wilton Manors receives over \$600,000 over the term of its contract with its cable company

in free services. Fort Lauderdale, which has many more government facilities, obviously receives much more in free services.

Also, cities currently establish customer service requirements and have authority to enforce them. For example, after the hurricanes, both cities took complaints from residents and worked with the cable company to restore service to residents after power was restored. Wilton Manors has also assisted residents with particularly bad service issues. Most importantly, these existing contracts require cable companies to provide a certain level of technology and ensure that all residents get the benefit of advanced services such as High Definition programming, more channels, and other broadband services.



Why Oppose HB 529?

Under existing state and federal law, AT&T or anyone else seeking to provide cable service has to comply with the same rules and would be subject to local city and county oversight. HB 529 removes all that. HB 529 basically provides that by paying \$10,000 to the State, anyone can provide cable service anywhere it wants and not be subject to any rules. More important, anyone seeking to provide cable service can pick and chose, entirely on their own, where they will do so and what technology it will use. If a company did not want to provide cable service to a portion of Fort Lauderdale or Wilton Manors, or wanted to provide different cable services to select portions of the cities, they could do so – and cities would be powerless to do anything.

And even what is more troubling about HB 529, it allows existing cable companies to terminate their existing contracts with the cities and counties and be relieved of current obligations under those contracts. We believe that this would be an unconstitutional impairment of contract. HB 529 will force cities and counties throughout Florida to spend hundreds of thousands of dollars in lawsuits fighting terminations of such existing contracts.

Now, we are all in favor of competition and lower prices. Both Wilton Manors and Fort Lauderdale participated in combined efforts with other cities to try and lure cable competition. And we generally support deregulation and letting the market work without over regulation. However, we have also seen consumers get hurt, particularly when large companies are free to act with-



out oversight or regulation. We would welcome a change to existing laws and have suggested some changes that we think would be beneficial, but **throwing out an entire set of federal, state, and local laws that have been in place for 30 years simply because AT&T asks for it is bad public policy.** AND HAS A GOOD CHANCE OF PASSING because of the money AT&T is putting behind this bill. In fact, it may be too late by the time this is published.

Contact all Broward County State Senators and Governor Crist and Urge them to Oppose HB 529!

Governor Crist (850) 488-4441
charlie.crist@myflorida.com

Senator Jeff Atwater: 850-487-5100
atwater.jeff.web@flsenate.gov

Senator Mandy Dawson: 850-487-5112
dawson.mandy.web@flsenate.gov

Senator Dave Aronberg: 850-850-487-5356
aronberg.dave.web@flsenate.gov

Senator Steve Geller: 850-487-5097;
geller.steven.web@flsenate.gov

Senator Nan Rich: 850-850-487-5103
rich.nan.web@flsenate.gov

Senator Jeremy Ring: 850-487-5094
ring.jeremy.web@flsenate.gov

As always, if you have any questions about this or any government issue or would like to obtain periodic updates, please do not hesitate to contact me via email at garyresnick@aol.com or on my home telephone at 954-566-0054.

FORT LAUDERDALE'S FIRST SCHOOL HOUSE

By Linda Knee
Fort Lauderdale Historical Society
Education Director

In 1899 Fort Lauderdale was a semi-tropical wilderness. There were miles and miles of Everglades, swamplands and scrub pine trees. It was inhabited by reptiles, wild mammals and infested with mosquitoes.

Edwin T. King was one of the first pioneers who moved to Fort Lauderdale in 1895 from New Smyrna Beach after a freeze destroyed his farm. He left his family and made his way to South Florida where he worked with Henry Flagler to finish the railroad. He helped build the New River Inn and became a prominent builder. As soon as the railroad was complet-

ed he moved his family to Fort Lauderdale. His wife Susan and their four children, Edwin "Byrd," Louise, Wallace and Eleanor, were the first passengers to ride the train.

Even though there were few Fort Lauderdale residents, the number of children was growing. When King's children arrived, they had gone three years without a formal education, and other local children were also without an education. The Marshalls had four children who had been working the fields, hunting and fishing without going to school. The Bellamys and the Powers each had two children, and Irma Boss was an only child, all who hadn't received any schooling either.

King was determined to have a school for his children and others in the area. He traveled to Lemon City (now Miami) to request a teacher from the Dade County School Board because Fort Lauderdale was then part of Dade County. The School Board agreed to supply the building materials and a teacher if the community had at least nine children.

In 1899 King, Fort Lauderdale's first contractor, and local volunteers built the school house. Located just south of the river, the school house was one room and unpainted. It was 20 by 30 feet with three steps that led up to the door, and the roof was made of cypress shingles. Dade County Schools provided 13 desks, including one for the teacher. There was a ball and bat, some chalk and a few books. The first teacher, Miss Ivy Cromartie, came from Lemon City.

In October 1899 the school opened, and on the first day parents brought their children by boat. The children were registered and assigned a grade, one through eight, by the new teacher. The first class began with nine pupils and eventually grew to fourteen.

The early pioneers valued education and worked together to see that their children would know how to



Fort Lauderdale's first school house.
Accession No. 5-1941, FLHS collections.

read and write. Fort Lauderdale is lucky to have one of the nation's few Replica School Houses located at the Fort Lauderdale Historical Society (219 S.W. 2nd Ave.)

We welcome you to visit the School House and see it for yourself!

The Fort Lauderdale Historical Society brings the history of greater Fort Lauderdale to life and preserves it for the enrichment of present and future generations.

For more information about how you can support the Historical Society call 954-463-4431, ext. 15, or visit www.oldfortlauderdale.org.



CHARTER REVIEW

By Broward County Commissioner
Ken Keechl

I would like to take the opportunity this month to discuss with you an extremely important, but not well-known, body that has the ability to propose substantial changes to the structure (and authority) of the Broward County Commission: the Broward County Charter Review Commission.

The powers granted to the Broward County Commission are derived from Broward County's Charter. In essence, this document is Broward County's "Constitution".

Its many provisions include a "citizens' bill of rights"; the number of County Commissioners (9); the manner in which we are elected (in single member districts); and the length of our terms (4 years). It is our Charter that also provides the Broward County Commission with a rather unique County power—its ultimate supremacy with regard to many municipal land use decisions.

Section 6.01 of the Charter provides for the appointment of the Charter Review Commission in June 2000 and every six years thereafter. As a result, the current Charter Review Commission's term began on June 2006. The Commission is authorized to conduct a comprehensive study of any or all phases of county government.

Why should you care? The answer is because the 19 members of the current Charter Review Commission have the power to place Charter amendments directly on the ballot in November 2008. And while it takes a supermajority vote of the Charter Review Commission to exercise this

power, if 13 members agree to propose a Charter amendment, the Broward County Commission has no say in the matter. The proposed Charter amendment shall be placed on the ballot for a vote by Broward County's residents.

The current Charter Review Commission is deliberating on a monthly basis and taking testimony from elected officials and the public. Many important Charter amendments are being contemplated.

Some of the many issues under consideration by the Charter Review Commission include the following:

- should Broward County have a "strong mayor" form of government?
- should the number of Broward County Commissioners be increased or decreased?
- should Broward County Commissioners continue to be elected in single member districts or should they be elected county-wide?
- if the County retains single member districts, should the districts be re-drawn more often than every 10 years, and by whom?
- should the Sheriff, Property Appraiser, Supervisor of Elections, and Clerk of the Courts be appointed rather than elected?
- should the Charter contain a specific Code of Ethics?
- should the supremacy of Broward County's authority with regard to many municipal land use decisions be eliminated?

These are just a few of the many important issues under consideration by the Charter Review Commission. More information about the Charter Review Commission can be found at www.Broward.org. Public hearings will be occurring throughout the year. I encourage your attendance and input at these public hearings.

As usual, if you have any questions, comments, concerns or problems, please feel free to contact me. Remember, I work for you.

Until next month...

Ken Keechl,
Broward
County
Commissioner,
District 4
Kkeechl@
Broward.org.
954-357-7004



Another Day in Paradise

CSI: Home Team!

by Dan McCarty

I had an idea for a great new business here in South Florida....I called it: CSI: Home Team! (Cue the music from Mission Impossible: dum-dum-dee-dum, dum-dum-dee-dum.....")

The idea was quite simple....we are wasting our time using all these genius scientists and forensic doctors solving crimes.... when we have everyday household issues that are begging for non-biased, scientific intervention. Here are some examples taken from the actual case files of...CSI: Home Team. Dum-dum-dee-dum....

Case A: A Davie woman is frustrated because her husband constantly misses the toilet at night. To add insult to injury, the toilet seat is then left open, causing the victim to fall into the icy water and contaminate the crime scene. It seemed the perfect crime. But my CSI Home Team was able to use black light technology to prove that, indeed, the toilet was being missed at night. Crime scene photos also showed reading glasses in the downstairs living room... far from the bathroom area, where they were obviously needed. Sample swabs were then taken from the suspect area and then compared with the husband's DNA. A tearful confession was obtained

and the case..... was solved. Dum-dum-dee-dum...

Case B: An Oakland Park father routinely brought home Dunkin' Donuts by the dozen. When he returned to enjoy one...he found a gruesome scene. Dum-dum-dee-dum....Each of the donuts had been brutally violated, with a vicious bite mark missing from each one.

Donut insides were oozing from the pastries..... one CSI technician, a rookie, lost his lunch at the gruesome sight. But my CSI: Home Team professionals sprang into action. They were able to take a dental impression from the mutilated donuts, which were then compared to the residents of the house. A teenage boy, the couple's son, was identified as the culprit....resulting in a two week grounding in his room. Dum-dum-dee-dum...

Case C: A Fort Lauderdale husband was victimized by cupboard doors that were...I can't say it...left open! His head was repeatedly bashed by this senseless crime. The CSI Home Team identified that the imprint in the man's forehead matched exactly the molding from the kitchen cabinet. And the cabinets in question contained food that matched the stomach contents from the wife. (This had to be based on her testimony since she wouldn't let us cut her open and examine her stomach contents...her obvious lack of coopera-

tion in this matter made her an immediate suspect). Fingerprint analysis was then used to prove that the wife was indeed....the mad cabinet door opener. Dum-dum-dee-dum....

Case D: A Fort Lauderdale man accused his partner of never picking up his clothes and doing any laundry. Our CSI Home Team found a particularly disgusting pile of dirty laundry that he claimed was just a couple days old. Through microscopic insect larvae analysis, it was proved conclusively that it had been sixteen days since he had last done his laundry. Dum-dum-dee-dum....

Case E: A young woman invited her fiancé to a night at the Florida Grand Opera. Regretfully he had to work that night, but the young lady smelled something fishy in his excuse. The CSI: Home Team used microscopic analysis of the young man's pant cuffs to reveal dolphin and swordfish scales....proving beyond a doubt that he had, indeed, been fishing instead of working to avoid the concert. Dum-dum-dee-dum....

My business was going along smoothly and the fees were pouring in. I could see CSI: Home Team as being the ultimate arbiter of disputes between South Florida couples and families. Then one night I received a knock on the door. It was a group of my previous clients...perhaps to thank me for my wise council and hard-nosed truth detection. But it was not the case. The crowd of clients, their friends and others reached through word of mouth had come to

deliver me a message. If I did not stop meddling in their arguments and family lives... they were going to beat me so severely that the CSI: Home Team would have no problems determining the cause of my death.

Oh...

You know...I have always wanted to start an ice cream stand....Dum-dum-dee-dum....

About the Author:

Dan McCarty retired from corporate America to devote his life to important causes, such as global warming and helping fat guys from wearing speedos on the beach. He can be reached at danmccarty1@comcast.net.



Extreme Running Event and Cocktail Party to Benefit Prostate Cancer Research

The second in a continuing series of extreme running events for prostate cancer research, the Keys 100 "fun run on highway 1" will take place April 28th in the Florida Keys starting at mile marker 104, Key Largo, and ending in Key West at mile marker "0." Individual runners and relay teams are encouraged to participate.

The challenge of running virtually the entire length of the Florida Keys, 100+ miles, parallels the seriousness of prostate cancer and therefore the need to raise as much money as possible for research, education and outreach. Prostate cancer is the second leading cause of cancer death among men. Each year over 220,000 American men alone develop prostate cancer.

This year's event is yet another benchmark in the running careers of Fort Lauderdale residents Jared Knapp and Bob Becker. The pair competed in the 2005 Marathon Des Sables 150 mile footrace in the Sahara Desert of Morocco, that some consider the toughest race in the world. The 2005 race, charity cocktail party and silent auction themed "A Night in Morocco" raised over \$40,000 for prostate cancer research, education and outreach. The run is particularly poignant for Bob Becker, who lost his father to this terrible disease

and was diagnosed with prostate cancer, himself, one year ago.

The Keys 100 is closely tied with the Richard J. Fox Foundation and the prostate cancer research group at the Lombardi Comprehensive Cancer Center at Georgetown University Hospital. The Richard J. Fox Foundation has been raising money for research and has been a leader in prostate cancer education and clinical outreach for the past 19 years. Net proceeds from a benefit cocktail party and silent auction will fund prostate cancer screenings and awareness initiatives in conjunction with Holy Cross Hospital in Ft. Lauderdale and research at the Lombardi Comprehensive Center in Washington, D.C. The cocktail party and silent auction, "A Night in The Keys" will take place on April 26th between the hours of 5:30 and 8:30 PM at Workscapes, 632 South Federal Highway.



Although the race is expected to attract endurance athletes, it will be a "fun run on highway 1" in keeping with the Keys' traditional "good times" image. There will not be the usual race supported amenities like formal rest stops, hordes of volunteers providing water bottles along the way, etc. There isn't even a registration fee, although there is a recommended contribution to the cause of \$100 per runner. All runners need to do is complete a participation form on line (www.keys100.com) or at the starting line at The Marriott Key Largo Resort located at mile marker 104.

Contact Ann Fox at 954 260-9667 for more information.



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Christian Chiari Launches Candidacy for State Rep., Dist. 91

Declaring that his campaign will emphasize Homeowner's rights, emerging industry and will stress ideas over ideology, Christian Chiari, local entrepreneur and community leader launched his 2008 bid against Rep. Ellyn Bogdanoff.

Chiari, who last year garnered a surprising 46% in his upstart bid against the Republican incumbent, says he was approached by local Democrats and Republicans to reestablish his campaign.

"Last year I introduced voters to what a campaign of ideas looked like," Chiari said. "Ideas centered around the Florida homeowner and families who are desperately looking for solutions as to how we can keep the cost of living down and the quality of life here in south Florida."

"What we're seeing is a House dominated not by ideas but by ideology," Chiari said in an apparent swipe at the "100 Ideas" campaign promoted by Speaker Marco Rubio. "And this ideology is hurting Floridians."

Chiari was particularly critical of legislation filed by Bogdanoff that would limit access of the public to the workings of the Florida government. He referenced a recent closed door meeting of Republicans on the issue of stem cell

research as highlighting how the House leadership would like to conduct its business.

"Mrs. Bogdanoff is trying to take us out of the sunshine so that Speaker Rubio and the ideological right can put us back into the dark ages," Chiari said. "They know that Governor Crist, (Senate) President Ken Pruitt and the majority of Floridians support the promotion of embryonic stem cell research and the only way they are going to get their way is to do it in secret."

"It's time for leadership that will focus on improving the lives of Floridians in the sunshine instead of catering to an out of touch ideological base in the darkness," Chiari said. "And I will work night and day, everyday to ensure that we have that leadership."

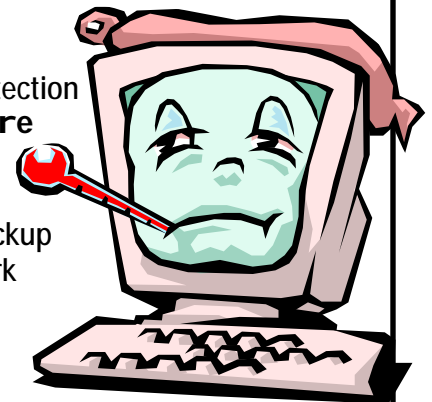
Chiari acknowledged that he is still the underdog and that his campaign against Bogdanoff will be a tough one. However, Chiari, who graduated with honors from Admiral Farragut Academy, in Pine Beach, New Jersey, said that like his hero, the first Admiral of the Navy David Farragut, obstacles are his least concern. "We all know what Admiral Farragut thought of those torpedoes," Chiari said. "Well, that's how I see it too."

"And as far as I'm concerned, it's full speed ahead from now until Election Day." For more information call Christian Chiari at 954-803-4844.

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TALES FROM THE GALT GULAG

Horror stories abound at the condo towers on Galt Ocean Mile

by Grayson Walker, Ph.D.

Tales From The Galt Gulag

The word gulag is an acronym for the former Soviet Union's penal system. Since then, it has come into common use to describe any repressive system. Thus, the name of my column is "Tales From The Galt Gulag." I will write about the repression of Owners of Florida condominiums. Publisher Steve Kelley and I call the Galt Gulag the "biggest crime scene in Fort Lauderdale."

Windows And Code Enforcement

It seems that many condominium associations are ignoring Florida law, and are pressuring Owners to waste their money buying windows on the retail market. Some Boards are sending threatening letters to Owners in what almost amounts to extortion!

If your Condominium Association has not repaired or replaced your windows, call the Fort Lauderdale Code Enforcement Department. Your windows must operate smoothly, have screens, be watertight, and have no broken panes or frames. This is the minimum housing requirement. You can reach the Code Enforcement Department at 954-828-5207. When you make your report, insist on a callback and a site visit.

Boards: The Myth Of The Poor Volunteers

I have heard more than one Board member repeat the cliché that they are "poor volunteers." This is not true, for board members are politicians. The fact that a Board member is a politician changes the rules of defamation, slander and libel.

The difference is the status of the person. A Board member puts his life before the public, and for that reason, is an open target for commentary.

What makes non-Board members different is that their lives are not an open book. Anyone who says anything about a non-Board member had better say only the truth about them. If they do not, then the non-Board member has a case for defamation if the comments harm their reputations or standing within their community.

With non-Board members, the issue is whether the person making the statements can prove those comments were true, not that the non-Board member must prove them as false. This is established in the United States Supreme Court case of the New York Times Co.

versus Sullivan, 376 U.S. 254 (1964).

Boards: The Powers Of Officers And Directors

All condominium associations and homeowners associations are corporations. Corporations are governed a Board of Directors. This is the case whether the corporation is for profit, or not for profit. While Boards typically elect officers from among their ranks, it is important to realize that each member has equal powers.

This is an important point, because some people incorrectly believe that a Board President has some additional powers. This probably is due to his title as President. The powers of a Board President have nothing to do with the independent executive branch powers exercised by a head of government, such as the President of the United States. In a corporation, the President has no special powers. The President of a Board of Directors serves at the pleasure of the Board of Directors.

Playa del Mar: Victory And Defeat Of The Condo Commandos

In 2007, the Residents for a Better Playa del Mar defeated the evil forces of tyranny and the Condo Commandos. This was not an easy victory, but anything worth having is worth a fight. Last year, the Residents of Playa del Mar faced defeat. The state appointed election monitors were sequestered. There was no control over the ballot box. They lost the election, but they were not defeated. They organized and implemented a multi-step plan.

Some of the steps are listed below to show all of you that we can defeat the tyranny of the Condo Commandos.

- They created an organization named "The Residents for a Better Playa del Mar." This prevented the opposition's ability to point to one person and discredit that person, and thus helped deflect any criticism.
- They began talking about the February 27, 2007 election in October 2006.
- The "Residents for a Better Playa del Mar" held a Town Hall Meeting.
- The "Residents for a Better Playa del Mar" held a "get-together" barbecue.
- Each candidate sent out their own letters to introducing themselves and writing about the need for a new board that cares about the unit owners

wishes.

- The "Residents for a Better Playa del Mar" circulated a petition for an Election Monitor to help create awareness.
- The "Residents for a Better Playa del Mar" sent out a fund raising letter.
- The candidates ran as individuals.
- The "Residents for a Better Playa del Mar" hosted a cocktail party with entertainment to introduce our new candidates. It was not a political meeting. It was a warm and social evening, exceptionally well attended.
- The month of the election, the new candidates sat in the lobby from mail time until the early evening just talking to people, making friends, and being known.
- The "Residents for a Better Playa del Mar" had a telephone committee with a script. They called every Playa del Mar Owner.

Because of election ballot problems in the past, they asked that people hand carry their vote to the election or give to a friend to carry for them.

The results were dramatic. In 2007, they knew they had a fair election because the ballots were hand carried and counted by the State Appointed Election Monitors. Playa del Mar has 370 Owners and a record number of 292 Owners, or 79% participated in the election. Ten votes by corporate owners were disqualified because they did not have a proper voting certificate.

There was loud cheering and congratulations as the names of the new board members were announced: The new Board members are Grace Antonello, Michael Marcelona, Mark Stern and Daniel Lecht.

All the candidates recommended by the Residents for a Better Playa del Mar were elected. The candidates promised to be open, honest and communicate with the unit owners. Their campaign promise was to give the unit owners new management and a choice in decorating.

The day after the election, past President Ed Napolitano and past Vice President/Treasurer Joe Ernest resigned from the board. The new appointees are Heide Von Schlieffen and Mike DeMonia.

The success of the Residents for a Better Playa del Mar began with a few Owners who believed in democracy and wanted to make a difference. Their belief was that the People Deserved More at Playa del Mar.

As these people spoke of their vision of a new Board with committees, Owners' rights, and the fun of getting

to know one's neighbor through social functions, the Residents for a Better Playa del Mar became a philosophy of hope for a better tomorrow.

New Board Member, Mark Stern said, "I want to thank everyone who supported us...especially the Residents for a Better Playa del Mar, Pat Price, Shirley Stephenson, and the whole committee and the committee within the committees."

Pat Price said, "I want to acknowledge and thank Grayson Walker and Stephen Kelley of the Fort Lauderdale City News, Jan Bergemann, of the Cyber Citizens for Justice, and State Representative Julio Robaina for their support. Without their dedication to report the truth and spread the word, we would not have been able to overturn the Board at Playa del Mar."

Southpoint's Mike Clarke, The Unsung Hero

In the wake of Hurricane Wilma, the Southpoint Board decided to replace all three roofs at Southpoint. They hired a \$20,000 roofing consultant to help select the best roof, but ignored his advice against a cold tar roof!

Cold tar is a bitumen-based product. Bitumen is primarily used for paving roads, although it is also used for sealing flat roofs. In the past, bitumen was used as a waterproof coating for buildings. When the city of Carthage burned, it was due to extensive use of bitumen in construction. Tar is extremely flammable. A tar fire cannot be put out with water. Pouring water on flaming tar would spread flaming, molten tar, making the fire worse.

On December 7, 2005, McIntare listed twenty serious problems of "cold tar" roofing, they concluded, "McIntare & Associates Inc does not recommend this product for use on this building."

The roofing contractor, Pritts Inc., used a large crane to lift a gasoline-powered forklift onto the roof of the South Tower. There were thousands of pounds of tar on the roof, in preparation of its being spread onto the roof. Why was a gasoline-powered forklift on the roof of a 200-unit condominium apartment building? The writer wonders if this machine, with its highly flammable fuel, was prohibited by any of Fort Lauderdale's laws.

During the Summer of 2006, Southpoint Security Supervisor Arthur Carmichael Clarke heard two loud noises from the roof of the South Tower. He sent one of his staff across the street in front of Southpoint to see if anything was ob-

servable on the roof. At the same time, Mike took the elevator to the top floor, and went up onto the roof. As he was going up in the elevator, his subordinate radioed to him that he could see huge flames on the roof of the South Tower. Mike told him to call 911 and get the Fire Department.

When he opened the door, he saw the forklift in a ball of fire! It was sitting next to hundreds of rolls of roofing tar! He was shocked by this huge fire. Mike also knew that if the fire reached the tar, the entire South Tower would be lost in the worst fire in Fort Lauderdale. Mike knew that if the tar caught fire, that water would be useless on the fire, and water was the only thing he had to fight to save Southpoint.

He raced down to the top floor and grabbed the fire hose at the West end of the floor, and pulled it up the stairs to the roof. He frantically called his staff, but nobody answered! He ran back down the stairs to the fire hose valve and turned it on, and then raced back up the stairs to control the fire hose.

Thankfully, the fire had not spread to the tar, but the forklift was engulfed in flames. As Mike was running with the fire hose toward the fireball that was the forklift, he heard the voice of a resident employee who shouted to him, "Run, Mike! Save yourself! It's going to explode!"

Instead of running to save himself, Mike trained the hose on the flaming forklift and blasted it with the fire hose he had pulled from the floor below! He flooded the forklift and killed the fire before it could spread to the adjacent tar. When Mike finished his heroic task, he turned to see several of his subordinates watching him. They were safely inside the stairwell, cowering in fear and marveling at Mike's heroism.

If it had not been for the heroic action of Mike Clarke, the fire would have reached the stacks of highly flammable tar, and it is highly likely that the entire South Tower would have been lost to the worst fire in Fort Lauderdale's history! Mike Clarke is the hero of Southpoint. Had it not been for Mike's cool head, Southpoint's South Tower would have been destroyed by fire.

The Fort Lauderdale Fire Department arrived after the fire was out. Fire Department Lieutenant Best told Mike that he had done an awesome job in putting the fire and saving the building. He said that if the fire had reached the tar, the fire would have

become uncontrollable.

After the fire, Pritts Inc. sent Southpoint \$300 to express its appreciation to the Hero of Southpoint. For reasons unknown to this writer, the \$300 reward was given to other members of the Southpoint staff.

In February 2007, Joanne Wilson offered the position of Chief of Southpoint Security to Mike Clarke. Mike accepted the position. On March 6, 2007, Board Member Tony Regazzo decided that he would not step down from his job as Chief of Southpoint Security.

On March 15, 2007, Mike Clarke told Regazzo that he wanted to remain as a Security Guard, but he was no longer willing to serve as a Shift Supervisor. Regazzo first pressured Mike to resign. Then, when Mike refused, Regazzo's response was to fire the Hero of Southpoint, Arthur Carmichael Clarke.

For those of you who do not know, Mike is a black man who became the first black man -- and only Southpoint hero -- to be fired by Southpoint. It is my understanding that Mike plans to file an EEOC lawsuit.

Southpoint: The Marketplace

At a recent Board meeting, an elderly man was given the Southpoint microphone. This was the first time a speaker from the floor was allowed to use the sacred microphone and address the

paper column was the sole reason there is no resale or rental market for Southpoint's apartment. If we could destroy the market at Southpoint, we would also have the ability to restore it.

Other than Manhattan and the Pacific Northwest, the real estate market is in free-fall. Southpoint is not immune to these macroeconomic forces.

However, Southpoint's situation is made worse by the Board's failure to replace the lobby in less than one year, the huge assessments, the liens filed against Southpoint, and the simple fact that the building has the worst reputation on the Galt Ocean Mile.

This is due to Southpoint's repeated violations of Florida law, as well as the failure of Southpoint's owners to respect the law, and take appropriate action.

Help For Owners

Attorney Inger Garcia can be reached by telephone at 954-894-9962 or by email at Attorney@IngerGarcia.com.

Jan Bergemann's Cyber Citizens For Justice is an organization of Owners, for Owners, to protect Owners' rights. For more information, please visit them at www.CCFJ.net or telephone 386-740-1503.

The Florida Department of Business and Professional Regulation's Bureau of Enforcement is located at 1400 West

ium Ombudsman. Her office is in Fort Lauderdale and she can be reached at 954-202-3234 or by email at Dannille.Carroll@dbpr.state.fl.us.

State Representative Elynn Bogdanoff can be reached at 954-767-9850 or by email at Elynn.Bogdanoff@myfloridahouse.gov.

State Representative Julio Robaina can be reached at 305-442-6868 or by email at Julio.Robaina@myfloridahouse.gov.

Fort Lauderdale Police Chief Bruce Roberts can be reached at 954-828-5700.

State Attorney Michael J. Satz can be reached at 954-831-6955.

The AARP's Bill of Rights for Homeowners is available online at http://assets.aarp.org/rgcenter/consume/2006_15_homeowner.pdf.

Governor Charlie Crist can be reached at 850-488-7146 or by email at Charlie.Crist@myflorida.com.

About the Author

I own a condominium at Southpoint, in the heart of the Galt Gulag. I am a University Professor and teach Government, Constitutional Law, Ethics, and Finance. Nothing prepared me for life in the Galt Gulag.

At the June 2005 Southpoint Board meeting, Marty Glazer called the critics of the Board "dissidents." Because I am a dissident, I have been assaulted, battered, slandered, libeled, disparaged, stalked, had my car keyed, and had my life threatened because I believe in American democracy and standing up for what is right. You can reach me at AGVIII@comcast.net or 954-567-0520.

About the Author

I own an apartment in the Galt Gulag, at the Southpoint condominium, on the Galt Mile in Fort Lauderdale. Many people do not realize how many rights they give up when they buy an apartment in a condominium association. I have taught American Government, Constitutional Law, and Ethics for over twenty-years, but I was not prepared for life in the Galt Gulag.

At the June 2005 Board meeting, Board President Marty Glazer called the critics of the Board "insurgents." I am an insurgent in the Galt Gulag. You can reach me at AGVIII@comcast.net or 954-567-0520.



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owners. Could he have been a plant, set up to tell his tale by the Board? Could this have been the reason he alone had access to the microphone?

The story he told was, in a word, preposterous. He alleged that this news-

Commercial Boulevard in Fort Lauderdale. Supervisor Harold Hyman can be reached by telephone at 954-202-3982 or by email at Harold.Hyman@dbpr.state.fl.us.

Dannille Carroll is our Condomin-

THE CONDO Lawyer



Committed to justice for the Galt Condo Community

The Condo Lawyer is a regular feature. This is the second of two installments discussing the actual laws regarding condo associations. These two articles are unavoidably legal but they are critically important in the empowerment of Galt Condo residents.

by Inger Garcia, Esquire

My name is Inger Garcia. I have been an attorney in private practice since 1991 in Georgia and since 1997 in Florida. Prior to, I worked as an Intern Assistant State Attorney for Janet Reno in Miami. I have also interned for numerous Judges, as well as, my Law School Trial Program Director. I have been involved in real estate and/or litigation for over 16 years.



The extent of violations by the Condominium Associations and their Boards that has been reported to me is extensive. It is time that we see the truth in black and white. I would like the readers to be interactive this month. Please review the list of 62 minor and 46 major violations contained in this article and either E-Mail or Fax to me any of the violations that you have observed in your condominium. Next month I will disclose the results to give you an idea of the number of violations that actually exist in your condominiums. The E-Mail is: attorney@IngerGarcia.com and the Fax is: (954) 446-1635.

Further, since elections have been an issue these past few months, please share your stories with me as it relates to the past election that took place or is going to take place shortly. I have been informed of many successes and/or horror stories of correctly held or improper elections.

I have also researched the Broward County court records and will be writing about the current legal affairs of our condominiums next month. There are many cases pending involving the "Galt Ocean Mile" condominiums. These include foreclosures, injunctions, negligence, slip and fall, refusal to allow a perspective board member to run, improper termination of a security guard, and the list goes on.

In trying to help numerous clients of mine in the past in condominium related issues, the biggest brick wall that we would hit was the lack of obvious cohesive support from the enforcement entities and the unit owners themselves, and lack of understanding of condo law. Condo Owners were considered "the minority," and still are today. However,

do the math. Condominium Owners are the majority and need to act as such to make any significant changes. Now is the time to act as a cohesive group and to protect our rights as Home Owners. Now is the time to either change the law or enforce the law, and to inform the Associations and Board of Directors to follow the law or suffer the consequences. Now is the time to report the violations to the proper authorities and stop the madness.

Many citizens in Broward County have expressed the need for change in the operation and management of condominiums. We are diligently working on establishing a Pilot Program similar to the one in Miami-Dade County established by Representative Julio Robaina where the FDLE, the State Attorney's Office, and the Ombudsman Office will train the local law enforcement office to investigate the fraud leg of the many complaints that the unit owners have. These complaints include the criminal actions of the Associations or the Board Members such as issues concerning missing money, kickbacks, theft, embezzlement, misappropriation, and other illegal behaviors.

As a condo owner myself, I understand the trials and tribulations you deal with on a daily basis. Some of you are dealing with a situation where you feel you have no constitutional rights, no privacy rights, and no accountability for your hard earned money that is "assessed" and "special assessed" over and over again. You are not being informed of meeting, elections are being improperly conducted, and worse yet, someone maybe stealing from the till and no one will produce the documents to prove it. It seems that that the "Board of Directors" or "Managers" are "Condo Commandos" conducting themselves with no consequences for their actions.

This article is not meant to be legal advice, but some general information to point you in the right direction and to help you understand that there is a right and wrong way to meet your responsibilities as a Director and that the Condo Owner does have rights that can be enforced; administratively, civilly and even criminally.

THE GOVERNING LAW - continued from last month

This article is a continuation from last month's article on the Florida law and Condominium Associations. The governing law for condos is Florida Statute, Chapter 718, and Florida Adminis-

trative Code, Title 61, Chapter 61B-21, 61B-22, and 61B-23.

The governing Administrative body is the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation. They implement the fines and civil end of the enforcement in relation to Condo matters. They can file suit in court to enforce their findings. However, without the "teeth" to criminally prosecute themselves, there has been no effective way to enforce the correct behavior of the Associations and Board of Directors. The Managers are a whole separate issue, which will be dealt with in a future issue. This lack of enforcement is about to change if we have any say so.

WHAT IS A DISPUTE AND WHAT IS NOT A DISPUTE

According to Florida Statute 718.1255- there is an Alternative Dispute Resolution and Voluntary Mediation for a "Dispute." A Dispute is defined as "The authority of the board of directors, under this chapter or association document to: (1) Require any owner to take any action, or not to take any action, involving that owner's unit or the appurtenances thereto. (2) Alter or add to a common area or element." Further, The failure of a governing body, when required by this chapter or an association document, to: (1) Properly conduct elections. (2) Give adequate notice of meetings or other actions. (3) Properly conduct meetings. And (4) Allow inspection of books and records.

"A 'Dispute' does not include any disagreement that primarily involves: (1) title to any unit or common element; (2) the interpretation or enforcement of any warranty; (3) the levy of a fee or assessment, or the collection of an assessment levied against a party; (4) the eviction or other removal of a tenant from a unit; (4) alleged breaches of fiduciary duty by one or more directors; or (5) claims for damages to a unit based upon the alleged failure of the association to maintain the common elements or condominium property."

MEDIATION OR ARBITRATION OF A DISPUTE

Voluntary mediation through Citizen Dispute Settlement Centers ... is encouraged. The legislature made the following findings: "The Legislature finds that unit owners are frequently at a disadvantage when litigating against an association. Specifically, a condominium association, with its statutory

assessment authority, is often more able to bear the costs and expenses of litigation than the unit owner who must rely on his or her own financial resources to satisfy the costs of litigation against the association. The Legislature finds that the courts are becoming overcrowded with condominium and other disputes, and further finds that alternative dispute resolution has been making progress in reducing court dockets and trials and in offering a more efficient, cost-effective option to court litigation. However, the Legislature also finds that alternative dispute resolution should not be used as a mechanism to encourage the filing of frivolous or nuisance suits. There exists a need to develop a flexible means of alternative dispute resolution that directs disputes to the most efficient means of resolution. The high cost and significant delay of circuit court litigation faced by unit owners in the state can be alleviated by requiring nonbinding arbitration and mediation in appropriate cases, thereby reducing delay and attorney's fees while preserving the right of either party to have its case heard by a jury, if applicable, in a court of law."

Therefore, "The Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation shall employ full-time attorneys to act as arbitrators to conduct the arbitration hearings provided by this chapter. ... The decision of an arbitrator shall be final; however, such a decision shall not be deemed final agency action.

Nothing in this provision shall be construed to foreclose parties from proceeding in a trial de novo unless the parties have agreed that the arbitration is binding. If such judicial proceedings are initiated, the final decision of the arbitrator shall be admissible in evidence in the trial de novo. Further, prior to the institution of court litigation, a party to a dispute shall petition the division for nonbinding arbitration.

A filing fee in the amount of \$50 must accompany the petition. Filing fees collected under this section must be used to defray the expenses of the alternative dispute resolution program.

The Petition must recite, and have attached thereto, supporting proof that the petitioner gave the respondents: 1. Advance written notice of the specific nature of the dispute; 2. A demand for relief, and a reasonable opportunity to comply or to provide the relief; and 3. Notice of the intention to file an arbitration petition or other legal action in the absence of a resolution of the dispute....If emergency relief is required

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and is not available through arbitration, a motion to stay the arbitration may be filed. A verified petition alleging facts that, if proven, would support entry of a temporary injunction must accompany the motion, and if an appropriate motion and supporting papers are filed, the division may abate the arbitration pending a court hearing and disposition of a motion for temporary injunction."

Note that every arbitration petition received by the division and required to be filed under this section challenging the legality of the election of any director of the board of administration must be handled on an expedited basis in the manner provided by the division's rules for recall arbitration disputes."

THE POWER OF THE DBPR

Florida Statute 718.501 sets forth the Powers and Duties of the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation it allows the Division to make the necessary public or private investigations, apply to the circuit court to compel the Association to comply with its orders, institute enforcement proceedings in its own name, order the association, officer or director to cease and desist from its lawful action and take such affirmative actions as it deems appropriate. The Division can also file a class action lawsuit on behalf of the unit owners or purchasers for injunctive relief, declaratory relief or restitution. The division can impose a civil penalty individually against an officer or director who "willfully and knowingly" violates a provision of this Florida Statute or Rule or final Order of the Division. The penalty is a daily penalty and cannot exceed \$5,000.00 for a single penalty. However, multiple penalties may be imposed. If the association or individual fails to pay this civil penalty for comply with any cease and desist orders, the Division shall pursue the enforcement in the court. The division also provides training programs for Board members and unit owners.

OMBUDSMAN'S OFFICE

One of the recent developments is that Florida Statute 718.5011 created the "Office of the Condominium Ombudsman," as the bureau chief of the division. The powers and duties as set forth in Florida Statute 718.5012 are: (1) To access files and records of the division and issue reports and recommendations to the Governor. (2) To act as the liaison between the division, unit owners, board of directors, board members, community association managers. (3) To coordinate education and reference materials. (4) To monitor and review the

procedures and disputes concerning meetings and elections and misconduct. And, (5) To make the recommendations to the division about changes in law, enforcement, and investigations.

HOW TO PETITION THE OMBUDSMAN

Remember this, 15% of the total voting interests in a condominium association, or six unit owners, whichever is greater, may petition the Ombudsman to appoint an Election Monitor to attend the annual meeting of the unit owners and conduct the election of directors.

ASK FOR HELP FROM THE ADVISORY COUNCIL

Pursuant to Florida Statute 718.50151, there is also Advisory Council of seven members that have to job to receive from the public, input of concern with respect to the condo and recommend changes in the condo law. The Division collects \$4.00 per condo unit to fund its work. You are paying for this service though your annual fees, so use it to help yourself and other unit owners.

THE FLORIDA ADMINISTRATIVE CODE

The Florida Administrative Code, Title 61, Subtitle 61B, Chapter 61B-21, Chapter 61B-22 and Chapter 61B-23 govern the Division and the Associations.

RESOLUTION GUIDELINES

Chapter 61B-21 sets forth the Resolution guidelines for Unit owner controlled associations. It defines the acceptable complaints to file, affirmative and corrective actions, alleged repeated violations and the association. Here the range of penalties is specifically set out for each type of violation. This Chapter determines the difference between a minor and major violation and sets forth the enforcement resolution and the civil penalties, in detail.

It establishes the cease and desist orders and the penalties of \$100 to \$5,000.00 per incident. It lists the mitigating and aggravating circumstances that are used to calculate the civil fines.

THE LIST OF THE 62 MINOR VIOLATIONS

The Administrative Code lists the minor violations specifically in Chapter 61B-21.003. The penalty for a minor violation is \$1.00 to \$5.00 per unit. The total penalty from \$100.00 and up to \$2,500.00 for a single violation may be imposed.

The long list of minor violations as

set forth in the Code follows. I am numbering them for your convenience of reference in order to make your ability to respond easier. There are 62 separate and distinct minor violations that can be sanctioned.

The specifically listed minor violations are:

(1) Failure of amendment to declaration or bylaws to contain full text. (2) Failure to maintain corporate status. (3) Improper use of secret ballot, or use of proxy, by board members at a board meeting. (4) Failure to provide a timely or substantive response to a written inquiry received by certified mail. (5) Improper quorum at unit owner meeting. (6) Failure of proxy to contain required elements.

(7) Failure to properly notice and conduct board of administration or committee meetings:

(a) notice failed to indicate assessment would be considered;

(b) failure to maintain affidavit by person who gave notice of special assessment meeting;

(c) failure to ratify emergency action at next meeting;

(d) failure to adopt a rule regarding posting of notices;

(e) failure to notice meeting; non-emergency action taken at board meeting, not on agenda;

(f) no meeting agenda;

(g) failure to allow unit owners to speak at meeting or speech is limited to less than three minutes.

(8) Failure to provide notice of the annual meeting not less than 14 days prior to the meeting. (9) Failure to include agenda. (10) Failure to maintain affidavit by person who gave notice of annual meeting. (11) Failure to adopt a rule designating a specific place for posting notice of unit owner meetings. (12) Failure to hold a unit owner meeting to obtain unit owners' approval when written agreements are not authorized. (13) Failure to have the authority in the documents when levying transfer fees or security deposits. (14) Failure to comply with hurricane shutter requirements. (15) Failure to have the authority in the documents when levying late fees. (16) Failure to obtain competitive bids on contracts that exceed five percent of the association's budget. (17) Failure to have the authority in the documents when levying fines. (18) Failure to provide proper notice of fines. (19) Failure to allow unit owners to attend board or committee meetings. (20) Failure to provide a speakerphone for board or committee meetings held by teleconference. (21) Failure to employ a licensed manager when licensure is required. (22) Failure to permit a unit owner to tape record or video tape meetings. (23) Failure to fill vacancy properly. (24) Failure to timely notice of budget meeting. (25) Failure to timely deliver proposed

budget. (26) Failure of board to call a unit owners' meeting to consider alternate budget. (27) Failure to include applicable line items in proposed budget. (28) Failure to show limited common element expenses in proposed budget. (29) Failure to disclose the beginning and ending dates of the period covered by the proposed budget. (30) (31) Failure to disclose periodic assessments for each unit type in proposed budget. (32) Failures to propose full reserve funding in proposed budget. (33) Failure to provide for funding of one or more reserve fund categories in the proposed budget. (34) Failure to provide the required separate proposed budget for each condominium operated by the association. (35) Improper nomination procedures in election. (36) Including a candidate who did not provide timely notice of candidacy. (37) Failure to provide candidate a receipt for written notice of intent to be a candidate. (38) Counting ballots not cast in inner and outer envelopes. (39) Failure to provide space for name and signature on outer envelope. (40) Failure to timely hold runoff election. (41) Failure of minutes to reflect how board members voted at board meeting. (42) Failure to record a vote or an abstention in the minutes for each board member present at the board meeting. (43) Failure to maintain a copy of recorded declaration and amendments. (44) Failure to maintain a copy of recorded bylaws and amendments. (45) Failure to maintain a certified copy of articles of incorporation and amendments. (46) Failure to maintain a current unit owner roster. (47) Failure of roster to include all elements. (48) Failure to maintain or annually update the question and answer sheet. (49) Failure to maintain other association records related to the operation of the association. (50) Failure to provide access to records. (51) Failure of budget meeting minutes to reflect adoption of the proposed budget. (52) Failure to maintain a copy of the receipt for delivery of association records upon transfer of control. (53) Failures to timely provide the annual financial report. (54) Failure to disclose in the year-end financial statements the manner by which reserve items were estimated and/or the date the estimates were last made. (55) Improper disclosure in the year-end financial statements of method of allocating revenues and expenses. (56) Improper special assessment disclosures in the year-end financial statements. (57) Improper disclosure in the year-end financial statements of revenues and expenses related to limited common elements. (58) Improper multi-condominium reserve fund disclosures in the year-end financial statements. (59) Multi-condominium revenues, expenses, and changes in fund balance not shown for each condominium in the year-end financial statements. (60) Disclosure of

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multi-condominium revenues/expenses for the association not specific to a condominium, is omitted, or is incomplete in the year-end financial statements. (61) Failure to include the required reserve fund disclosures in annual financial report. (62) Improper disclosure of receipts and expenditures in the annual financial report in a multi-condominium association.

THE LIST OF THE 46 MAJOR VIOLATIONS

Chapter 61B-21.003 also lists major violations with penalties of \$6.00 to \$20.00 per unit with a fine of \$100.00 and up to \$5,000.00 per single incident. Once again, I am numbering the violations for your convenience for reference.

The specifically listed major violations are: (1) Insufficient detail in the accounting records. (2) Failure to maintain sufficient accounting records. (3) Failure to assess at sufficient amounts. (4) Failure to assess based upon proportionate share or as stated in the declaration of condominium. (5) Failure to follow method of amendment. (6) Improper compensation of officers or directors. (7) Failure to hold the annual meeting. (8) Failure to maintain adequate fidelity bonding for all persons who control or distribute association funds. (9) Failure to pay annual fees to the division. (10) Failure to propose/adopt budget for a given year. (11) Failure to include reserve schedule in the proposed budget. (12) Commingling association funds with non-association funds. (13) Commingling reserve funds with operating funds. (14) Using association funds for other than common expenses. (15) Improper use of converter reserves. (16) Failure to include converter reserve disclosures in the proposed budget, year-end financial statements, or annual financial report. (17) Failure to hold election. (18) Failure to use ballots or voting machines. (19) Failure to prepare the annual financial report on a cash basis. (20) Failure to include in the annual financial report specified receipt or expenditure line items, or disclosures on limited common elements. (21) Failure to provide, or timely provide, first notice of election. (22) Failure to provide, or timely provide, second notice of election or omitting materials such as ballots, envelopes, and candidate information sheets. (23) Failure to include all timely submitted names of eligible candidates on the ballot. (24) Counting ineligible ballots. (25) Not counting ballots in the presence of unit owners. (26) Failure to hold runoff election. (27) Failure to comply with final order of the division. (28)

Failure to maintain election materials for one year. (29) Failure to maintain minutes of meetings. (30) Failure to maintain records within Florida. (31) Failure to provide the annual financial report. (32) Failure to provide year-end financial statements in a timely manner. (33) Failure to provide year-end financial statements. (34) Failure to prepare year-end financial statements using fund accounting. (35) Failure to prepare year-end financial statements on accrual basis. (36) Failure to prepare year-end financial statements in accordance with Generally Accepted Accounting Principles (GAAP). (37) Failure to have reviewed or audited year-end financial statements prepared by a Florida licensed CPA. (38) Failure to include one or more components of the year-end financial statements (incomplete). (39) Failure to make significant reserve fund disclosures in the year-end financial statements or annual financial report. (40) Providing lower level of reporting for year-end financial statements than required. (41) Failure to calculate reserve funds properly. (42) Failure to fund reserves in a timely manner. (43) Failure to fully fund reserves. (44) Failures to follow proper method to waive or reduce reserve funding. (45) Failure to obtain unit owner approval prior to using reserve funds for other purposes.

And, last but not least, (46) Failure to use special assessment funds for intended purposes.

WHAT IS AN AGGRAVATING CIRCUMSTANCE

The aggravating circumstances that are looked at are: (1) Filing materially incorrect documents. (2) Financial loss to a party. (3) Financial gain by the violator. (4) Disciplinary history of violator. (5) Substantial harm element. (6) Undue delay or failure to correct the violation. (7) A long-term violation. (8) Repeated violations. (9) Impeding the division's investigation. (10) And, the use of the notice to show cause.

This chapter also sets forth that the division may recover in addition to the civil penalties, any other costs, penalties, attorney's fees, court costs, service fees, collection fees, and damages as allowed by law.

FINANCIAL AND ACCOUNTING REPORTING AND REQUIREMENTS

Chapter 61B-22 of the Florida Administrative Code deals with the financial and accounting requirements; budgets, reserves and guarantees. This Chapter defines accounting records, capital expenditures, deferred maintenance, funds, reserves, and turnover. 61B-22.002 deals with accounting records. 61B-22.003 deals with the budgets. 61B-22.004 deals with the guarantees of common expenses under Section 718.116(9)(a)(2) of the Florida Statutes.

61B-22.005 deals with reserves. 61B-22.006 deals with the financial reporting requirements. It sets forth the basis of accounting and types of financial statements required.

The financial statements must comply with Florida Statute 718.111(10) & (13) and 718.301(4). We will expand on this issue in a subsequent paper.

This is a major issue of concern for the homeowners. Where is our money going and how is it accounted for?

FIDUCIARY DUTIES OF THE BOARD AND THE OMBUDSMAN AND ELECTION MONITOR'S ROLL

Chapter 61B-23 of the Florida Administrative code deals with the association and sets forth the fiduciary duty of the association, the operation of the association, the elections, the ombudsman and election monitor's role in elections, bidding and contracts, right to recall and replace board members, electronic transmission of notices and the cable television service issues.

As elections have been taking place in the past few months, I am sure there are many issues that need to be dealt with. There have possibly been illegal elections, miscalculations of votes, mishandling of ballots, proxies and the like, not allowing the proper persons to run for the board, etc. These issues will be expanded on as you report to me what happened during your elections and what problems and successes you have had.

Please share your stories so we can all learn and secure assistance to correct any wrongdoings we find. Just because the election is over, does not mean that the board is not going to be held accountable for its actions.

There are many ways to correct the problem, including but not limited to removing the board, injunctive relief, appointing a receiver, and other relief.

YOU CAN ENFORCE YOUR RIGHTS - STAND UP AND FIGHT FOR WHAT IS YOURS

Recent cases have held the Condo Association and its Board liable. A unit owner in some circumstances may apply to the circuit court to appoint a receiver to manage the affairs of the association, secure an injunction or declaratory Judgment against the Association or its Board Members to enforce the regulations in its Declaration of Covenant and the Florida law.

Other legal theories of liability that may be pursued include negligence, breach of fiduciary duty, willful misconduct, breach of covenant, tortious interference, fraud, libel, slander, civil theft, trespass, theft, grand theft, civil RICO, self-dealing, restitution and criminal action if warranted.

Criminal liability includes, misappropriation of funds, theft, embezzlement, illegal acceptance of kickbacks, theft, fraud, battery, assault, false imprisonment, criminal RICO, etc.

IF YOU WIN - YOU MAY RECEIVE YOUR ATTORNEY'S FEES AND NOT BE ASSESSED FOR YOUR SHARE OF THE DEFENSIVE FEES ASSESSMENT

IF YOU WIN - YOU MAY RECEIVE YOUR ATTORNEY'S FEES AND NOT BE ASSESSED FOR YOUR SHARE OF THE DEFENSIVE FEES ASSESSMENT

If you as a unit owner prevail in a complaint against the Association and its Board, you may receive your attorney's fees and costs and a deduction for your share that was assessed to the other Unit Owners.

Many unit owners were afraid to fight the Association and the Boards. The association is using your money to fight you back. You do have a right to recover your attorney's fees if you fight and win.

CONCLUSION

Next month, I will report the results of the major and minor violations survey and the election stories. I will also expand on the law as it involves the elections and financial reporting requirements. Further, I will report the results from my research of the cases filed in the Broward County Courthouse, and what the local Judges have been doing with these cases.

There are numerous people who are instrumental in seeking the necessary changes to the Condominium law and/or enforcement of the law. Call or E-Mail them and let them know I sent you.

These include Jan Bergemann, President of Cyber Citizens for Justice, Inc., who may be reached at jan@ccjf.net; Florida House of Representatives, Representative Elyn Bogdanoff, who may be reached at (954) 767-9850, Representative Julio Robaina, District 17, who may be reached at (305) 442-6868; our local Ombudsman Danielle Carroll who may be reached at (954) 202-3234, or Dr. Grayson Walker, who may be reached at (954) 567-0520 or agwiii@comcast.net.

Your letters to the editor for the Fort Lauderdale City News are welcome. Send them to steve@citynewsfl.com.

About Inger Garcia:

I am committed to justice in the Galt Ocean Mile.

If you have any comments or questions, I may be reached at attorney@IngerGarcia.com, Fax: (954) 446-1635, or by Phone at 954-894-9962 or (954) 394-7461.

E-Mail or Fax is the preferred choice of contact. Enjoy your beautiful homes by the sea.

CONDO LEGISLATION UPDATE

From State Representative Ellyn Bogdanoff, District 91

They say that in South Florida, a train has so much potential to gain momentum because of the long, straight tracks; but in Tallahassee, moving through the process as quickly as a locomotive can have disastrous consequences.

"Train bills" can have great potential to gain steam and barrel through the legislative process. Yet, there is always danger of attaching too many cars, causing members to question what has been included in the last days of session.

To prevent surprises, late filed amendments require 2/3 vote of the house for introduction. Usually, "train" bills are bills that are filed in response to recommendations from a task force or were previously vetoed. As condominiums have aged, become obsolete, or suffered serious hurricane or other casualty damage, it has become apparent that the current statute is a major hindrance to terminating a condominium.

According to the Real Property, Probate, and Trust Law Section of the Florida Bar (RPPTL), obtaining 100 percent agreement of all unit owners is impossible in most cases. Missing owners or unresponsive mortgagees can veto termination through inaction.

In 2006, Senate Bill 1556 substantially amended the requirement that all unit owners and all holders of recorded liens agree in order to terminate a condominium, but was vetoed by Governor Bush.

The governor felt that SB 1556 might cause unintended consequences by possibly denying rights to condominium unit owners without adequate procedural safeguards. He requested that the Department of Business and Professional Regulation (DBPR) conduct a series of meetings to obtain public input regarding the issue of condominium termination.

The department conducted the public meetings and issued its report recommendations:

- The presumption of reasonableness should be removed from the proposed legislation, and the unit owners should be given the right to contest any aspect of a plan of termination.

- The Legislature should amend the Condominium Act to allow termination-for-cause based on changes in land use regulation or substantial destruction of the property as provided in the bill. The product of that report is Senate Bill 314.

In January, the Legislature convened in a Special Session to address the insurance crisis in Florida. We attempted to make insurance more available and affordable for condominiums by allowing associations to risk pool and determine whether they have the statutorily required "adequate insurance."

Senate Bill 396 is really two bills in one. The first is an implementing bill that would allow condominium associations, cooperative associations, and homeowners' associations to participate in self-insurance funds authorized by the 2007 special session.

I get many calls about special assessments due to increases in insurance premiums. This bill would establish new budget disclosure requirements for condominium and cooperative prospectuses relating to insurance increases, allow "good faith" estimates to be the basis for the budget, and require that new budgets be given to purchasers at closing.

Part two of the bill would require developers of "condo conversions" to expand disclosure requirements for the improvements located on the property and would also provide additional requirements for warranties and reserve accounts.

Most importantly, it would require updated inspection reports when components are renovated or repaired. House Bill 433 is substantially similar to HB 391, which passed unanimously during the 2006 legislative session and was also vetoed by Governor Bush.

The more controversial provisions, including a pushback from 2014 to 2025 of the fire sprinkler retrofitting, have been removed and placed into HB 1365. Governor Bush clearly intended for the legislature to revisit the issue "following a review of actual retrofit costs."

The condominium provisions that remain in HB 433 would increase the percentage from 2/3 to 3/4 of the voting interest for approval of any agreements acquiring leaseholds, memberships, or other possessory or use interests entered into 12-months following the recording of the declaration.

Some Florida municipalities have established local ordinances that forbid an association or its guests to directly access the beach adjacent to the condominium. HB 433 prohibits a city or county from taking away your beach access.

House Bill 1373 is Representative

Robaina's 221-page bill. Ideas from other legislation are included in the bill in an effort to gain a consensus that has a little something for everybody.

The bill contains provisions from HB 433 and SB 250, as well as other language that would:

- Remove the ability of boards to limit the frequency and manner of responding to unit owner inquiries.

- Require an open meeting of the board for action.

- Allow owners to add items to the board's agenda with a 20% vote.

- Require the nature, cost, and breakdown of special assessments to be included on any notice.

- Allow for the use of reserve funds in case of catastrophic events.

- Every 5 years, require the board to have a professional architect or engineer determine if the building is structurally and electrically sound.

- Protect owners against litigation and SLAPP suits.

- Prohibit contracts longer than three years.

- Prohibit contracts with an automatic renewal clause.

- Require condos to allow pets with a note from two physicians. From Henry Flagler's Overseas Railroad to condominiums as a form of ownership, Florida is on the cutting edge.

ing a perspective buyer to "make a monetary deposit or present evidence of any financial status to the association if such perspective buyer has been approved by a lending institution that is necessary to purchase the property."

House Bill 923 would establish a pilot program in the Tampa Bay area for ownership or management entities in condominiums to inexpensively and expediently resolve disputes relating to deed restrictions or covenants.

This informal process would not include restrictions and procedures required for formal actions in circuit court. House Bill 1365 allows the Condominium Board to exercise expanded powers, such as levying special assessments, during a state of emergency.

The bill also pushes back the fire sprinkler retrofit from 2014 to 2025. As always, thank you for allowing me to serve.

We will keep you up to date as these ideas move through the process. Please don't hesitate to call my office at (954) 762-3757 if you have any questions or comments.

Ellyn Bogdanoff, State Representative for District 91 and the Majority Whip of the Florida House of Representatives



**5th Annual
TARPON BEND
Invitational Golf Tournament**

Monday May 14, 2007

Prizes Include:
Hole-in-one Contest: Car Giveaway
\$5,000 Putt for Cash
Plus other prize winning contests
Goody Bags
Party Favors

**Play for a
great cause.**

**Please call
Gene Beach
for more info
and to sign up!**

954-523-3233

I LED TWO LIVES - a book by Commissioner Tim Smith

My Life as a City Commissioner and Private Citizen

EDITOR'S NOTE:

Tim Smith was a beloved District 2 Fort Lauderdale City Commissioner from 1996 to 2003. Smith wrote this book after he left office to tell his story about what it was actually like to be a City Commissioner.

His book, Politics 101, will be published here in serial form, one chapter per month.

Chapter 6

The Life of a City Commissioner (or Living La Vida Loco!)

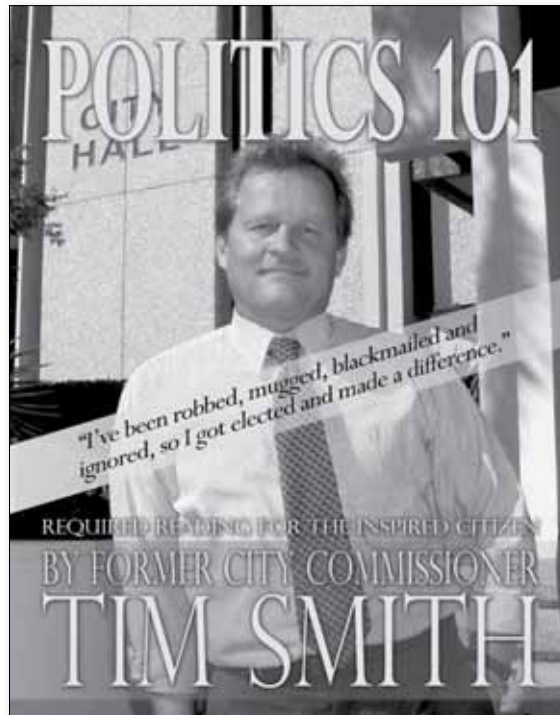
It seemed like I had been a candidate for years! I'd gone through more shoes than Imelda Marcos, and I had lost some of my extra pounds along the way. I had walked and walked and walked and walked. I walked when it was raining, walked when it was dark. I walked with supporters and walked alone.

I walked through the whole of District Two. I walked the Las Olas Isles and talked to some of the wealthiest citizens in the city. People like Wayne Huizenga, the billionaire garbage magnate, Nick Nolte, and Lee Majors live there, though none of them came to the door. I guess I could claim that I talked to the maid of Nick Nolte, and the lawn guy for Wayne Huizenga, but that doesn't sound too awfully impressive, but just taking that pedestrian tour of that fabulous real estate was interesting!

I walked through the gentrified, trendy area of Victoria Park and made friends who would help carry me through all my campaigns. I reconnected with all the folks I knew from my neighborhood and the surrounding ones. I tried to walk door to door at the beach, but those doors rise to the 18th or 25th floor, and I seldom made it past the security guard. I walked the poorest part of that Bermuda Triangle of political districts and talked to Haitian ministers and activists that were trying to claim a piece of the American dream for their people. I talked on the phone to hundreds if not thousands of people. I talked to every group that would have me. I went to every homeowners group and if they would let me speak, I spoke. You develop a language on the campaign trail. If you're good, you will be able to answer every question. You will be ready to jump up and speak anywhere on a moment's notice. You will have a position on all the driving issues of the day, and you must be able to passionately tell the voters why YOU

are the right one. I went to the Moose Club, the Elks Lodge, and would have given the Lions and Tigers and Bears a go if our city had any! I went to the Rotary, the local business associations, the Downtown Council, the Beach Council and spoke to every sitting politician who would grant me an audience. I had survived a sinister move by the local power structure to get me out of the race and I had gotten people to know who I was and what I stood for. There was nothing more for me to do.

Election Day, March 11th, 1997. Just sixty days previously, I had been wearing



a wire and trying to snare an extortionist. Thirty days previously, I had secured a place in the run-off election. The way the rules work in my town, if there are more than two people in a race, there is a primary race that reduces the battle down to the top two vote getters. My supporters and my family (Mom insisted on flying down from Maryland) were riding high. Primary election night was like a Super Bowl in overtime for me. The results come in over the T. V., precinct by precinct. There are dozens of precincts and they don't report in any particular order. You may get a string of results that come in from your neighborhood area and you push ahead. The next batch may come in from your opponent's stronghold and he (or she) may pull ahead! That night ended with a few precincts to go and I was ahead

by 80 votes out of 4,000 that had been cast. Tom Gustafson and I were running neck and neck. The last precincts included Tom's own personal neighborhood. I had to get some votes there to win. If Tom swept it, he would take it. The last few precincts were a seesaw. Tom ahead, me ahead, Tom ahead, me ahead! There were 75 people sitting on the edge of all the furniture in our home with their eyes glued on the big screen! The room was basically quiet with occasional cries of joy or terror. The last precinct came in and WOW, I had taken the primary by four votes! FOUR VOTES! A scream

came out of my house that lasted for hours. Guess what? Your vote can really count, really count! The maid staff at Nick Nolte's or the lawn crew at the Huizengas could have put me over the top. I think folks stayed at my house that night to the wee hours, though it's all just a wonderful blur. But we still had the runoff in thirty days and I was ready.

The actual election was a bit of an anti-climax. Nothing could have topped that nail-biting primary. But the general election was sweet music also. Dad had flown

down for this, and my 75 friends and supporters had grown to 100. Local big shots like Jack the developer, who wouldn't give me the time of day before, were suddenly there slapping my back. My new best friends! I had gotten more MOJO in the last thirty days since the primary and when the final results came in, I was a Commissioner. A City Commissioner! A Fort Lauderdale City Commissioner! Wouldn't my high school chums from Clinton, Maryland be surprised! Wouldn't my bowling classmates at Towson State University be shocked! I had beaten Tom by 1,500 votes, and now it was I who was full of himself! But that wouldn't last long. Now the real challenges came, the important work, the business I had been training myself for all these years. Could I deliver? All the rhetoric and plans and assurances I had given my friends and fellow citizens

would be put to the test. I couldn't wait to jump in.

I had done it. I had gotten myself elected. I was still pinching myself as I took the oath of office in the Commission Chambers. My win was a pretty big deal in Fort Lauderdale. The conventional wisdom had it that a blue collar, middle class nobody didn't have a chance against the prevailing power structure and a former Speaker of the House. I had shocked them all and the press had a field day. Everyone likes the underdog! I had already had far more than Andy Warhol's allotted fifteen minutes of fame by the day I took office, and it was just the beginning.

I jumped right into my new job. First, I decided that I would have to make myself completely accessible. Cindy objected, but I published not only my home phone, but I gave instructions to the girls at the office that they could give out my cell phone to anyone that wanted it. As a result, I stayed on the phone for six years! Almost without interruption! If it's true that cell phones cause brain tumors, then I'll have a head full! I bet I talked to 10,000 people over the next 6 years. Commissioner John Aurelius told me to expect to be a customer service rep first, Commissioner second. John was right. I loved solving problems. And there were always plenty of problems to solve. I went to City Hall nearly every day. I learned where the folks worked that could help me solve the citizens' complaints. I discovered the escape routes they could use when they saw me coming! And every day I got calls. Lots of calls! Most of the calls were from citizens frustrated with the City Government. In most cases, the citizens had tried to work within the system only to be crushed under the weight of bureaucratic ineptitude or indifference.

Most of the calls could be classified in two categories. In the first category, the citizen felt they were not getting the services they should have. "I pay my taxes" they all bellowed! The garbage was not being picked up or the drug dealers were not being arrested, or the water department was not turning their water back on promptly after they paid their bill, or the roller hockey rink was being postponed for the third time or the beachfront was not being cleaned well.

In the second category, the citizen felt they were getting a city service they didn't want. One of the more common complaints were the dreaded parking tickets. Citizens hate them and the City Administrators and bean counters love them. Also, there were complaints

Continued on page 21

Continued from page 21

about the building department and even more passionate complaints about the code enforcement department, who often times went overboard and cited folks for silly things like putting in a window air conditioner or hanging a ceiling fan without a permit. There was also the occasional landlord who got a citation for having their bulk garbage out on the wrong day and had to pay the \$190 charge. I learned how to work through many of these problems, and if I couldn't fix a citizen's complaint, it wasn't for the lack of trying. Of course, I had one thing that the average citizen didn't, the City Manager's private office phone number. And use it I did! After I left office, the City Manager Floyd Johnson would tell folks that when his hotline rang, it was often Smith demanding some action. Sounds right to me!

My popularity grew with my constituents, due to my willingness to give my immediate and aggressive response to their concerns. But my relationships with my fellow Commissioners were a bit chilled from the get-go. Mayor Naugle, who had endorsed me just weeks before election day (thinking Tom Gustafson to be the greater of two evils!) had already been in office for 12 years, Commissioner Carlton Moore for 9, and Commissioners Aurelius and Latona for 6 years each. I was supposed to sit back and learn, not speak up and act. But I couldn't. Things in large parts of my District were in shambles and reducing the crime rate in the city had to have a political champion. It took me months, but I slowly gained the respect of my fellow Commissioners, (though Mayor Naugle and I never became drinking buddies).

There were certain things I had promised on the campaign trail that I was intent on doing, and I was going to get them done right away. Patience has never been one of my better traits. The first and most important issue to me was the street level crime that had occurred in my area of the city for a decade or more. It wasn't exclusively a Fort Lauderdale problem, it was happening all over the nation. But from my perspective, there were no street drug sales or prostitutes working on Las Olas, and there weren't going to be any working on 13th Street or Sunrise Boulevard, or North Ocean Boulevard either, if I had any say about it. I asked the City Manager to arrange a meeting for me with the Police Chief and the appropriate folks at the Police Department.

The meeting was scheduled and I got to work devising a plan. I had been studying Community Policing techniques while a civic activist and had some ideas. The day of the meeting arrived and the Manager told me to come down to his floor, the administration floor, as his conference room was large enough. I didn't know why the

Police Chief and the City Manager and a few other personnel needed a large conference room, but I assumed they had charts or something they wanted to show me. I got off the elevator carrying my plan and opened the door to the conference room. Inside, the room was packed with Police Brass from every division! If they were trying to intimidate me, they were accomplishing their goal! The Police Chief said the Manager had instructed him to meet with me to see what I had in mind. He had brought the Assistant Chief, the head of the Narcotics Division, The Majors in charge of the Police Districts in my area, the Captains of the day, evening and midnight shifts, and probably a scattering of meter maids for good measure! I took a deep breath and laid my plan on the table.

"First," I started, "I have devised an idea for a Police Action plan called Operation Big Shoe." Now cops are not the most receptive to non-law enforcement personnel involving themselves in their business, so I kept my eyes on their weapons in cases any of them decided to draw on me. But I went on anyway. "I am proposing weekly drug sting operations, both buy busts and reverse stings." I knew the lingo. They stared at me with inquisitive looks. "I think we need to have lane squeezes on the weekends." "I'd like the Manager to place mercury vapor lighting in the hot spots along Dixie Highway and 13th Street." I noticed that as they started to look around at each other and nod their heads affirmatively. "Maybe this guy's not as dumb as we thought" look. "Let's have frequent prostitution stings and have some special officers assigned to the chronic violators."

I knew that Police Action alone couldn't cure the problem and I turned toward the City Manager. "George, you need to get your code people out to those ghetto areas in the neighborhoods and cite some problems. Up until then, code officers, at least in my area, would drive right by a slum with no grass, overflowing garbage cans and rotten roofs. These were owned by slumlords, who knew the system and would either evade the code inspectors notice of violations, or play shell games with the ownership of the properties to stay one step ahead of the system. The code guys knew that and just shrugged off the problems as an inevitability. That had to change. Taking back an area of slum, blight, crime and fear was part police attention for sure, but an equally important part is that the areas residents had to decide to quit accepting the bad conditions. It's called the "Broken Window Theory" and basically says if the areas have rotting overflowing garbage cans and broken windows in abandoned buildings, then the criminal element will smell the disregard and move in their operation.

I turned back to the cops. "I have

hundreds of citizens willing to support your efforts. We will be willing to do our part. "We need you," I finished. With that, the meeting with the cops ended on a positive note and the Chief promised me that he would evaluate my proposals and get back to me. A few days later, the Chief announced a new Police action plan for the crime-infested areas in District Two. They called it Police Action plan 1 2a-b, but I called it Operation Big Shoe, there to STOMP OUT CRIME! I was on my way to making a difference!

Another issue that I had passionate feelings about was campaign reform. I had just managed to be elected against great odds and I knew that the system was heavily skewed in favor of the entrenched incumbents. New ideas and fresh energy comes with turnover, with new blood, and the present system didn't encourage that. It's a dry issue, and most people seem to feel that the system is so broken and entrenched, that anyone trying to fix it must be either naive or just plain stupid. As usual, I didn't care about the prevailing thought, and was determined to make it happen. I had a multiple issues proposal. The first part called for term limits. The Mayor of the city had been there a long, long time already and had the same term limit plan as the ex-President Idi Amin of Uganda: President for Life! Naugle wanted to be Mayor for Life. He was fiercely opposed to my term limit proposal, but I had the support of Commissioners Aurelius and Latona, and with those three votes I was able to get the term limit proposal on the next ballot.

The Fort Lauderdale voters accepted it by nearly 80%. I knew they would and repeated the adage often that politicians are like diapers. If you don't change them regularly they began to smell! The second part of my proposal was for campaign finance reform. As I described to you earlier, I had been outspent by Tom Gustafson, 5 to 1, but managed to win anyway. But that was the exception to the rule. The reality of the matter is that money can buy elections and usually does. The incumbent almost always has the big war chest and folks are either unable or unwilling to compete for the job.

This is a disadvantage to us all. What you end up with are longtime politicians that no longer stay in office to fix what they are passionate about, but rather stay to feed their self-esteem. They stay because they forget how to do anything else. The job becomes who they are instead of a temporary period of public service. They lose the spirit that sent them there in the first place and spend most of their time figuring out how to never rock the boat, how to stay popular. There are exceptions for sure, but I believe that to be generally true, I had decided from the moment I entered the political ring that I was going to do it my way.

First, I thought about not accepting donations at all, to finance my own campaign! Cindy had other ideas! I settled on a \$25 limit and was always proud that although I collected less money than my opponents, I always had many more donations than my opponents had. Many citizens gave to my campaigns who never gave to any others. They knew they couldn't compete with developer Jack, or old money Ham, who would send in the maximum donations allowed by law, and have their wives and kids and pet iguanas do the same, but with me and my maximum \$25 donation, they could be on the same footing as everyone else.

My campaign finance reform proposal fell like a lead weight. None of my colleagues were interested and it would end up taking me 5 years to get some changes passed. I have real empathy for Senator John McCain. I managed to get my proposal sent to the Charter Review Committee of the city, and pulled it along, inch by inch, until the rest of the Commission went along with some modest reforms. We now have a reduced maximum contribution limit of \$250 in our town, down from a \$500 maximum, and what's more important, donations are no longer allowed by faceless, nameless, corporations and PACS.

Now it is only real live people that can give you money and they can't bundle donations or hide their interests. Voters and the ever-present press can follow the money! I'm proud to say that our city is leading the way in starting to reform an ugly system of campaign financing that favored the entrenched incumbent.

But as Ying and Yang would have it, when I ran for Mayor a few years later, Mayor Naugle found a way to use my meager \$25 limit against me. He used a Sun-Sentinel political columnist to do his dirty work. More about Buddy later!

There was much more work to do. Was I really making a difference? I had gotten Operation Bigshoe off the ground and it was having some great results. The crime stats in the area of the operation actually declined by 70% in one year. People hate statistics, they figure they're skewed somehow. And I usually agree, but any way you slice and dice these figures, the decline in crime in the area of the Operation I called "Operation Bigshoe" had been incredible.

I had been successful with my term limit proposal and had offered my campaign finance reform. Campaign finance reform would just have to be dragged to the finish line kicking and screaming! Now I was off to other projects to make sure I was making a difference.

I knew I had barely scratched the surface. I had to get busy!

Note: Tim's book is for sale at \$17 - to order yours, call 954-564-1308.

The Will to Act

by Marge Anderson,
(954)467-8641

"The will to act is a renewable resource," said Al Gore, "let's renew it." Across the world, many are doing just that.

A caption in the March 5 edition of the Sun-Sentinel reads "God, Green try to Meet in the Middle." It describes how evangelical groups are starting to believe that global warming is a problem. Several groups are trying to slow climate change by getting its followers to reduce the amount they pollute. Eighty-five Christian leaders signed an Evangelical Climate Initiative, which calls for federal legislation to reduce carbon dioxide emissions.

Charlie Crist, in his State of the State address, said this: "I am persuaded that

gone, no amount of political campaigning will induce the dinosaurs and the prehistoric fern forests to lie down again and press themselves into more ooze for us. Are we working on Plan B?" Would that involve legislation?

Why not?

Penn State University, in response to a student-led initiative, has set specific greenhouse gas reduction goals. It is expected that the program will save them at least \$20 million in utility costs, while reducing the release of greenhouse gases.

The British government has proposed legislation that would set legally binding, long-term limits on carbon emissions. Tony Blair wishes to set an example to the rest of the world. The bill is not yet approved, but both British parties reportedly support the idea of being the first industrialized country to spell out long-range goals.



global climate change is one of the most important issues that we will face this century." It is his belief that the sharp rise in our insurance premiums occurred in large part because of the rise in number and intensity of hurricanes that have hit Florida in recent years. Why have the hurricanes been worse? Crist is convinced that global warming is a cause. He is talking about legislation.

Mayor Naugle is not convinced. He has his list of "thousands" of scientists who do not believe global warming is at fault. There are meteorologists who say global warming cannot be blamed for hurricane intensity or frequency. The Mayor calls for reductions in emissions "where possible and feasible."

Even for people who do not "believe" in global warming and its effects, what harm does it do to reduce dependence on fossil fuels? Barbara Kingsolver, author and environmentalist, said in 2005 that those people must think the term "fossil fuels" is only a metaphor. Fossil fuels are appropriately named, and once used up, they are gone for this segment of geologic history. "That oil was made a long time ago; when it's

The Natural Resources Defense Council, a leader in efforts to reduce greenhouse gas releases, reports that "policy makers in some U.S. states are convinced that they can develop smart policies that will reduce global warming pollution while lowering energy costs for businesses and consumers and attracting new clean energy businesses and jobs. Florida is NOTICEABLY ABSENT from that list of states."

On March 13, County Commissioner Kristen Jacobs brought the US Mayors Climate Protection Agreement to the agenda of the County Commission. Item 23 on the Agenda asked the Commission to begin the process of joining 17 Broward cities and over 400 communities across the nation in support of the US Mayors Climate Protection Agreement to reduce global warming (the same Agreement Mayor Naugle refuses to sign). Commissioner Jacobs seems to be one politician who truly does "think global; act local."

The rest of the Commissioners agreed. The item passed unanimously.

Earth Day at Birch State Park Film Fest and Social

**Saturday, April 14, 2007
Noon to 5 p.m.**

- Environmental films
- Free popcorn and bottled water
- Children's Recycling Fair Games
- Educational booths featuring local recycling agencies and groups
- Learn about the new Green League, as well as the Step It Up Campaign to reduce carbon emissions

Bring family, friends, chairs, blankets and picnic baskets and enjoy an afternoon of fun-filled activities for the entire family. Leashed pets are welcome. Say "Earth Day" and get in FREE!

For more information, please call
Hugh Taylor Birch State Park: 954-655-7182
3109 E Sunrise Blvd, Fort Lauderdale

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Recycled Chlorine-Free Paper

ALL NATURAL PAINT STORE OPENS

By Steve Kelley

Finally there is an ALL NATURAL paint store you can walk into and purchase all natural, non-toxic, interior/exterior household paints, wall glazes/washes, and wood stains.

It's called Nature's Paint Store, Inc. The store also carries clay paints and clay plasters which help regulate the humidity in rooms naturally.

The paint is made in Europe and the main ingredients in the paints are water, chalk/marble, natural pigments, and food grade preservatives. Pigments are formed naturally from minerals, earth, and rock.

Some of pigments have been heated to 800-1400 C. to change the color. There are many colors to choose from ranging from neutrals and pastels to deep blues, greens and reds.

Nature's Paint Store, Inc. is a unique store selling an environmentally safe alternative paint. The paint comes in a #2 recyclable container that rinses clean without polluting and can be recycled eliminating the need to dump paint containers at Hazardous Waste Dump Sites.

The store welcomes interior designers and painting contractors. Store location and hours are: Nature's Paint Store, Inc. 3455 N.E. 12th Terrace; Suite 4; Oakland Park, M-F 10 a.m.- 1:30 p.m. Sat.-Sun. 9 a.m.- 12 noon.

For convenient in home or office samples, or earlier or later shopping, please contact Victoria Rogers @ 954-303-5635 (cell) or 954-630-3001 (bus.)

Look for Nature's Paint Store in Fort Lauderdale's Earth Day Celebration at Birch State Park April 14th, 2007 from 12noon-5pm.

Birch State Park is located at 3109 E. Sunrise Blvd.; Fort Lauderdale, Florida. 954-564-4521.

Fort Lauderdale will also have a booth set up for children artists of all ages using Nature's Paint.





By Kevin Lane

KEVIN'S KORNER

ANNUAL "CLUELESS ON LAS OLAS" BRINGS "V FOR VENGEANCE" TO LAS OLAS BOULEVARD

The 12th Annual Clueless on Las Olas, planned for April 19th, will be loads of fun! The theme for this year's "whodunit" is "V For Vengeance". How cool is that!! There will be plenty to bid on at the fabulous silent auction, with prizes ranging from airline tickets, movie tickets, signed sports items and more. Registration begins at 5:30 p.m. at S.E. 9th Avenue (next to Mango's Restaurant). A 'dastardly crime' will be revealed with some of the sleazy char-



Cathy Plante (Mangos), Kathy Pena (Humana), Sandra Silvera (Humana), Nina Randall (Partners In Education), Ric Green (Deerfield Beach Observer), Linda Brown (Events, Etc.) Kneeling: Sam Chesser (BrightStar Credit Union), Mark Summers (Imagination Entertainment)

acters introduced, followed by the Clue Search on Las Olas, with the participant party at 9:00 p.m.. The cost is \$30 per person (or four tickets for \$100) in advance, and \$35 the night of the event.

Prizes will be awarded for some of those lucky enough to solve this exciting caper, with the Grand Prize of two tickets anywhere Southwest Airlines flies in the U.S.. Each participant will receive a gift bag full of fun goodies and an event shirt.

Clueless is sponsored by Wheelabrator Technologies, Inc. and co-pro-

duced by the Las Olas Association, with funds raised benefiting Partners In Education, Broward's premier business/school partnership program. For further information call (954) 288-7201.

Eckhart Tolle's Book, The Power of Now Subject of Mataji's Discussion Group At ArtServe...

Mataji, an acclaimed yoga therapist, teacher and body work specialist, will host a stimulating and rewarding class series at ArtServe, located at 1350 East Sunrise Boulevard, exploring the book, The Power of Now by Eckhart Tolle. The book is a #1 New York Times Bestseller, which has been translated into 32 languages and has become one of the most influential spiritual books of our time, with Tolle widely recognized as one of the most original and inspiring spiritual teachers of our time. The series begins on Thursday, April 5th from 6:30 p.m. to 8:30 p.m. and will be held each Thursday evening thereafter. Classes are \$20.00 each, with the April 5th introduction free and open to the public. For information, call (954) 525-7852.

Oprah Winfrey touted the book as "... a reminder to be truly present in our own lives and liberated from our past and future... It's one of the most valuable books I've ever read." Oprah keeps the book by her bedside. "... The Power of Now is the best book I have ever read, period," said Marc Allen, author of Visionary Business and The Millionaire Course.

Mataji, who brings three decades of expert training and experience with practices from Thailand, China and Japan, feels the book series will give people who have read the book, or who plan to read it, a chance to meet others who embrace the empowering philosophy the book espouses.

Symphony of the Americas Presents An Evening With Eugenia Zuckerman

Meet and greet internationally celebrated flutist and author Eugenia Zuckerman on April 15th at a truly unique cocktail party from 6:30 to 8:30 p.m. at the Pier Top at the Hyatt Pier 66. She'll

talk about her life... her music... and her book, In My Mother's Closet. Tickets are \$75.00, with proceeds benefiting the Symphony of the Americas, 'Broward's Symphony Orchestra'. Ms. Zuckerman will be performing on April 17th at the Amature Theatre with the Symphony of the Americas, under the baton of Maestro James Brooks-Bruzzese; along with harpist, Katie Ott. For information, call (954) 545-0088.

1000+ Club of the American Cancer Society's 25th Annual Women of the Year Honors 13 Non-Profits

The 1000+ Club of the American Cancer Society presents their 25th Annual Women of the Year Awards Luncheon on April 19th at the Broward Convention



First Row: Arlynnne Vollmuth Bentsen, Freedom's Foundation at Valley Forge; Marsha Levy, HANDY, Inc. (Helping Abused Neglected Dependent Youth); Rosemary Larson, Symphony of the Americas; Carmen Hotchkiss, Royal Dames of Cancer Research; and Jane Toney, Seafarers House
Second Row: Stacie Weisman, Lupus Foundation of America Southeast Florida Chapter; Linda Stepenovitch, Light of the World Clinic; Michele Koontz-Kesian, Cystic Fibrosis, Gold Coast Guild; and Barbara Lefka, Opera Society
Back Row: Marietta Glazer, Broward County Medical Association Alliance; Linda Eckert, Pinion, Inc; Alyson Kass, Hospice Hundred, Inc.; and Christine Fingado, SPARK

This photo was taken by Tiffany Photographic Studio on the Grand Staircase of the New Broward General Medical Center; this year's Presenting Sponsor.

Center. Thirteen leading non-profits are being recognized, who in turn, nominated one of their members as their Woman of the Year.

One of the top social events of the season, enjoy an incredible silent auction, lunch and the presentation of the honorees. Barbara Reitsma and Marian McCreay DeLoach are co-chairs and Anne Ahrens is the President of the 1000+ Club. The group has raised over three million dollars for the American Cancer Society, with funds being earmarked for special programs. Tickets are \$75.00 and can be reserved by calling (954) (954) 491-1499.

Spotlight on Orion Day Spa and Salon...

Talk about being pampered, the entire team at Orion Day Spa, at 2424 East Las Olas, have gotten rave reviews since opening last year. From the moment you walk in, you begin to relax... and it only gets better.

A case in point is "Photo Rejuvenation" with L.E.D. lights. "It promotes collagen cells to reproduce and repair broken vessels and clears up acne and other sensitive skin issues. It should coincide with Micro-Dermabrasion," co-owners John Grigg and Martin Eisenman said. If you call during the month of April and you ask for John... tell him Kevin sent you... you'll get 10% off this service for the first series of treatments! Call (954) 712-1822 or visit www.oriondayspa.com.

NARROWED BRIDGES PREVENT RESIDENTS FROM PERFORMING SEAWALL MAINTENANCE

By Arch Stanton

In early 2004, the Bayview Drive bridge just north of Commercial Blvd. was narrowed during repairs. The City Of Fort Lauderdale created the problem when they said they repaired the bridge to strengthen it.

The Engineering Department only notified a few houses next to the bridge and did not notify any of the other residents or Homeowners Associations about the repair project underway.

If they had, costly construction revisions like this one could have been avoided and safety and consumer issues that affect all the homes west of Bayview Drive could have been avoided.

The problems of the narrowing of the bridge are:

(1) Barges that were normally able to make repairs or replace seawalls can no longer fit through the base of this bridge.

The seawalls were built in the late sixties and early seventies and the steel reinforcing tie rods have been compromised by spalling and deterioration over the years. Barges that were normally able to make repairs or replace seawalls and capable of driving batter pilings (essential to sea wall repair), can no longer fit through the base of this bridge. This is a problem for Golf Estates, Lake Estates, and homes on the west side of the Landings affecting more than 400 homes on the waterfront. There is only one marine contractor that can get his equipment under this repaired bridge, limiting the options as a consumer to repair residents' seawalls as they become necessary.

(2) Increased safety hazard for boats trying to navigate the bridge to get out to the Intracoastal Waterway

The water funnels under the narrowed bridge increasing the current and making it difficult and unsafe for the boaters. Since the "repair," damage has been reported by boaters to their vessels while navigating this dangerous situation.

(3) Potential harm to property values based upon these new restrictions.

These communities pay high property taxes and should get response to their requests. Instead, the City of Fort Lauderdale ignored their requests and put them at a very low priority. Where is the leadership of the District One Commissioner, Christine Teel? This impacted the size of the boats and barges able to get under the bridge. These homeowners

deserve better treatment. When the next election comes, homeowners will remember and vote their conscience.

July, 2004
Marine Advisory Board Does Nothing

The Homeowner Representatives went to the Marine Advisory Board Meeting with a presentation to alert them about the safety, consumer, and property value issues. Further, they asked for help about remedying the narrowing of the Bayview bridge just north of Commercial Blvd. or return it to its original width. They did nothing. These are the people appointed by Christine Teel and her fellow City Commissioners.

December, 2005
Placating the Homeowners

The Chairperson of the Bridge Committee for one of the Homeowners Associations reported that the City of Fort Lauderdale was investigating the bridge issue and had made some recommendations.

The results of the meeting of Tuesday, December 7 between the City and the representatives of Lake Estates regarding the narrowing of the Bayview Drive bridge appeared to be very positive.

Among those in attendance were City Commissioner Christine Teel, Assistant City Manager Stephen Scott, Project Engineer Jaime Barreto, Assistant City Engineer Mike Fayyaz, and Acting City Engineering Director Peter Partington.

During the meeting, the problems of the narrowing of the bridge were discussed. Again, the residents expressed why they wanted the width of the bridge returned to what it was prior to repair, and for the City representatives to learn what we knew regarding the problems that this created for our community. Due to the limited time available during the meeting, subsequent phone conversations were had in the days that followed the meeting with Commissioner Teel, Mr. Scott, and Mr. Fayyaz to further elaborate our concerns.

During the conversation with Commissioner Teel, she indicated that the city finally understood the ramifications of the narrowing of the bridge, and that they are going to restore the width of the bridge to its original width as much as possible, while still reinforcing it so that it is safe for vehicles and boats alike. The details and time required for this would be available in the near future.

February, 2006

More than a year later, the HOA's Bridge Committee reported the Engineering Department was studying how to correct the problem and was sup-

posed to supply an answer by May, 2006.

February, 2007

Dane M. Esdelle, Construction Management Department of the City of Fort Lauderdale reported to the community that the repair project is scheduled to be completed by April 27th, 2007. It includes the removal of existing concrete pile jackets along channel face and placement of pile reinforcement.

We'll see if they are making false promises again.

NEW FORT LAUDERDALE SERVICE CAN REDUCE CONFLICT FOR CHILDREN OF DIVORCED PARENTS

Within the city of Fort Lauderdale, thousands of children are living every day as innocent victims of their parents' divorce wars. The parents split custody of their children, who travel with their clothing, schoolbooks, sports equipment and other possessions between Dad's house and Mom's house, according to a parenting schedule or plan developed during the divorce. But what happens when there is a scheduling conflict and the parents cannot work it out? What happens if the schedule that worked when the children were in preschool or elementary school is impractical now that they are in high school? What happens when something comes up that was not addressed in the parenting plan at all?

For years, divorced parents have turned to the courts to resolve parenting issues. This strategy is stressful, time-consuming and expensive. An alternative approach is to utilize the services of a Parenting Coordinator; a trained professional

with expertise in Florida family law, child and adolescent development, family issues during separation and divorce, and Florida family mediation. CHILDREN FIRST is a new local business offering the services of Parenting Coordinators to divorced parents in the Fort Lauderdale area.

Although divorced parents are no longer partners in a marriage, they need to work together in the business of raising their children. Children's behavioral problems, poor school performance, anxiety, depression, and anger are among the most obvious effects of repeated litigation. The financial drain of repeated litigation has a huge impact that adds to the emotional distress of the parents. To reduce stress and become successful, the parents must develop a business-type relationship with their former spouse, and each parent must learn how to place the well being of their children first.

Parents working with a Parenting Coordinator ("PC") can successfully resolve parenting issues, reduce or eliminate litigation, decrease stress, and save money. The PC works directly with both parents, sometimes serving as the information link between the parents. Is Parenting Coordination right for you or someone you know? Do you have disputes with your former spouse about your children? Are your children significantly older than they were at the time of your divorce? Are you or your former spouse involved in a new relationship that is affecting your children?

Parents can begin the Parenting Coordination process by contacting a PC and scheduling an initial consultation.

About the Author:

Cindy Harari is an Attorney and Parenting Coordinator. Her telephone number is 954-583-8831 ext.350. For additional information, please visit the website for CHILDREN FIRST, www.solutionsnottalk.com.

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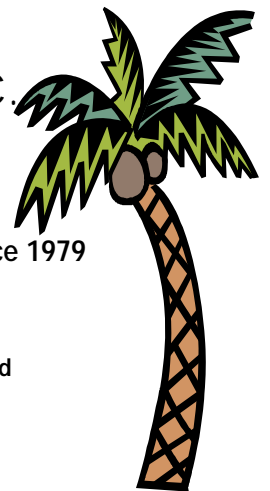
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BUSINESS ANNOUNCEMENTS

When You Want More Than a High Rise on the Beach – Think Caribbean Lifestyle, at Montserrat in Lakeridge

Are you looking for a relaxing lifestyle - even dreaming of a tropical island escape, and living in a high rise on Fort Lauderdale Beach is not the answer? If riding an elevator to your unit is not your idea of an intimate way of living, and your own private courtyard/garden is more appealing, then you are among the discriminating adults who want more than just a home.

Sharpe Project Development, Inc and Retzch, Lanao and Caycedo Architects, Boca Raton, have once again joined forces and developed the community of Montserrat. With over 2 decades of combined experience, design excellence, technical accuracy and qual-

ity construction, they take great pride in introducing Montserrat to the Fort Lauderdale's Lakeridge neighborhood.

"The original inspiration for Montserrat was to design a community that reflects the Lake Ridge neighborhood spirit and also capture the excitement of the city," said Orlando Sharpe, President of Sharpe Project Development, Inc. Using this idea, the development



team drew inspiration from the Caribbean and added a modern touch.

Recognizing their commitment to

community re-development, Sharpe Project Development and Retzch, Lanao and Caycedo paid close attention to the current needs of home owners and enlisted the help of world renowned EcoPlan for their environmental land planning and landscaping. The result of vibrant colors, tropical landscaping, and the rhythm of the city, along with ocean breezes and an island lifestyle is unique to Fort Lauderdale.

Montserrat offers the finest quality for its standard features including, impact resistant insulated steel entry doorways, hurricane resistant windows, top of the line appliances in the gourmet kitchen, luxurious baths featuring stone surface vanity tops with integrated sinks and dramatic theatrical lighting, and interior features that are unparalleled in new construction. The standard features will satisfy

discriminating buyers and the upgrade options will match any preference. The 3 story units feature 3 bedrooms, 3.5 bathrooms, 2-car garage. In addition to downtown Fort Lauderdale and all the amenities of the city, adjacent areas of Victoria Park and Wilton Manors add to the ambiance of Montserrat.

A Montserrat home is a home that feels like a vacation home. It is a lifestyle that offers a sense of community without being lost in a sea of numerous units. Proximity to beautiful beaches, Las Olas Boulevard, The Galleria Mall, nightlife, restaurants, movies, culture, the airport, and all that draws millions of visitors to Fort Lauderdale, makes Montserrat a year-round vacation.

Castelli Real Estate Services, Fort Lauderdale, is the exclusive representative of Montserrat.

For more information about the upscale features, options and amenities of Montserrat, call 954-556-8008 or visit www.montserratliving.com.

Fort Lauderdale Family Builds Business Together

"How can we start a business where we have fun, have the whole family working together and serve others?" As they pondered their next business move, the Wallaces, Debi and Doug, set out to find exactly the right answer.

The Grand Opening of their first R. J. Gators, Florida Sea Grill and Bar in Broward County was on Monday, February 26th at Harbor Shops off SE 17th Street at Cordova Road. There you can taste delicious fried Alligator tail, Havana Banana Chicken with black beans, rice and sweet plantains, Hand made Coconut Shrimp, the Market Fresh Catch of the day and a myriad of other unique Florida menu items. All while watching any number of the 20 big screen televisions, having a family conversation or living it up with your friends in the warm and friendly atmosphere created from the ground up and polished by a staff of "Tour Guides" who take your orders and also serve your food.

Doug Wallace, a long time licensed General Contractor, has put together the new restaurant in record time. All employees are naturally fun loving and friendly but are also schooled in the R. J. Gator's tradition of constantly seeking something to improve. So anytime you are within five feet of a Tour Guide, they will give you an opening to express your wants or needs by asking, "How is your dinner?" or "Is there anything else you would like?"

Finding exactly the right answer to their objective of the right business took some time but, as often is the case, the answer was always in front of them. After looking at a large number of possibilities, Debi and Doug finally found the "gold at their feet." At the time they were in the business of building glider swings, so popular in South Florida outside casual restaurants. One of their customers was a local chain of family friendly restaurants headquartered in Jupiter,

Florida, and themed for the both real Floridians and tourists alike...R. J. Gators, Florida Sea Grill and Bar. They saw how the business grew and grew and they understood the reasons since they and their entire family enjoyed the food and fun experience.

One day while in the Boynton Beach restaurant discussing their plans with the kitchen manager they were bringing to the Fort Lauderdale location, they met the family at the next table. It turns



out that family lived in Fort Lauderdale but their children wanted them to stop at Boynton for the R. J. Gator experience every time they were passing through. That confirmed the Wallace family decision...an unsolicited testimonial!

Since Debi was born here and always lived in Fort Lauderdale, and Doug had lived here since 1983, they knew the importance of home cooking fresh food in the long tradition of original Florida Crackers. They found that R. J. Gators served the usual favorites

but added unique Florida recipes and flavors, had a fun atmosphere, and was a place their whole family could work together while providing a real service for neighborhood families and visitors to enjoy. All six offspring are working in jobs ranging from a hostess to a manager.

Of special interest to locals and tourists alike, sealed into the bar top are vintage photos of Fort Lauderdale and the environs that help create the atmosphere and are conversation starters. The booths and tables have pictures of Everglades scenes, wildlife and the Florida Keys sealed into their tops. There are crayons and coloring sheets to entertain the kids.

License to Chill. Whether you are enjoying drinks like a Mango Mojito, a Gatorita or a Key Lime martini and dinner inside at the bar or tables, or at the outdoor bar and tables, you can earn points on your very first visit when you sign up for V.I.G. Club Membership. Each time you accumulate 100 points (1 for every dollar spent) you get \$10 credit electronically added to your membership card and can be used for food, beverages or merchandise. All members get double points on Tuesdays and active members get \$20 added on their birthday.

The Wallaces are planning to have live entertainment like a Jimmy Buffet style singer and steel drum players on the weekends to add to the fun. They also plan to open at least five R. J. Gators in Broward County.

The beat goes on.



The Key to Good Health Starts with a Good Internist

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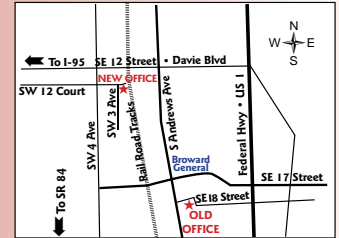
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Construction on a New City Plaza Begins at ICON Las Olas

The Related Group has begun the initial phase of construction related to the ICON Las Olas project in downtown Fort Lauderdale. As part of its development agreement with the city, The Related Group is renovating a small parcel of city land, adjacent to the Stranahan House, into a landscaped public plaza.

Currently, this 20,000 square foot space contains a parking lot and a large 40 ft. by 40 ft. steel structure that houses a ventilation system for the Henry E. Kinney Tunnel. The land is being redeveloped with beautiful paver bricks, seating, shady oak trees, and other foliage. The large ventilation structure is being downsized to create a view of the New River from Las Olas Boulevard. The plaza will be named for Laura Ward, a native Floridian and Fort Lauderdale civic leader.

As part of this initial phase of construction, the developer will make slight modifications to the New River seawall by reducing its height and installing new metal guardrails. The plaza and seawall improvements are expected to take approximately four months to complete. Crews are working closely with the Stranahan House to coordinate a construction schedule around planned events at the House.

"Right now this area is an eyesore, but soon it will be transformed into beautiful space where small events can be held and the public can come to relax and enjoy," said Barbara Salk, Sr. Vice President of the Related Group who's in charge of the ICON Las Olas Project. "But it's just the beginning of what we have planned for the area."

After this first phase is completed, the developer will repave a section of SE 6th Avenue that abuts the ICON Las Olas property. A pedestrian pergola will also be built along the north side of Las Olas above the tunnel. Sometime after construction on the tower begins, the developer will build a second, larger public plaza near the building's footprint, on land it donated to the city. The developer will also pay to finish construction of the Riverwalk, a paved walkway that snakes along the New River.

ICON Las Olas is a 42-story, 272-unit luxury condominium project at 500 East Las Olas in between SE 5th and SE 6th Avenues with frontage on Las Olas Boulevard and New River. The project will also have two restaurants and retail space.

The ICON Las Olas sales center entrance is off SE 5th Avenue. Each week the development hosts ICONIC Thursday, a complimentary cocktail party from 5:30 PM. until 8:30 PM. outside on the terrace deck. Call 954-462-5001 to RSVP or visit www.iconlasolas.com for more information.





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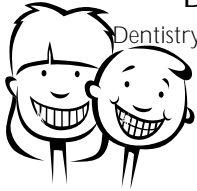
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Letters



Unnecessary city overtime costly to taxpayers

After checking the budget for last fiscal year, I found that the city is spending an immense amount of our tax dollars on overtime. I decided to check the figures after observing work the city of Fort Lauderdale was doing as "scheduled night work." The workers were receiving overtime.

The work included installing a 4" fire service and a 6" fire hydrant at Harbordale Elementary. When I questioned the city as to why the work was done at night, I was told that they scheduled the work at night for the safety of the school. We wanted the work completed before school sessions began. Since this was two separate installations, it required two crews. In addition, there was an asphalt crew on site to restore the road once the service was installed. Since the entire school is currently a construction zone and the pickup and drop off for students is located on Miami Road, any work being done on SE 10th Avenue and SE 16th Street would not have adversely impacted staff or students, so I was confused by the comment "for the safety of the school". I also took exception to the comment "we wanted the work completed before school sessions began." Workers were there before, during and after "school sessions began."

There were approximately 16 workers and eleven vehicles at the job site. At any given time, 9-10 of the workers were standing idle. The asphalt crew arrived on the night of the 13th, and was not needed until the morning of the 14th. The workers (working or not), were collecting overtime pay for a non-emergency condition that was scheduled at night with no "real" justification. Why?

In the 2005/2006 budget year the city appropriated \$6,003,052.00 for overtime. Their actual was estimated to be closer to \$10,800,000.00. How is that? Who is benefiting from all this overtime? Where is the fiscal responsibility that we should expect from our elected officials? Where is the accountability? We should all be outraged.

Marsha Bennett
Fort Lauderdale, FL

Broward County Residents Restricted from Using Fort Lauderdale Beach Parking

Fort Lauderdale's belongs to all us.

The question is, why is this preference for restricted parking being given to such a small group of residents? What is the response of the Ft Lauderdale City Commission, Mayor and City Manager? It is the few elitist beach property owners asserting themselves over Broward County residents and creating private enclaves and effectively making the side roads and the beach their own private area-- reserved exclusively for their use.

What is happening now at the Ft Lauderdale City Commission is determining whether local people and visitors will be able to go to the beach between Sunrise and Oakland Park Boulevards in the foreseeable future because going to the beach is dependent upon parking for the beach to be accessible to all. At the March 6th Fort Lauderdale City Commission meeting, there was a discussion about making the Birch Park Finger Streets Residential Parking Permit Program (RPPP) permanent. They continued the discussion at their Commission Conference, on March 20, 2007.

Additionally, when the RPPP is discussed and approved by the Commission, there will be two readings of an Ordinance that will be prepared and advertised, so the Commission can get input from the general public on the issue.

We need to speak out!

The earliest that the first reading of a proposed Ordinance could be heard on this subject would be at the Commission meeting on April 3, 2007. Call the Commissioners and Mayor at (954)828-5004 or email them at:

mayorjames@aol.com
CTeel@fortlauderdale.gov
CRodstrom@fortlauderdale.gov
CHutchinson@fortlauderdale.gov
CMoore@fortlauderdale.gov

How many parking tickets were issued or cars towed for specifically for blocking access to driveways on

the side streets? Even before the new restrictions, parking enforcement was very strict and prevented an accessibility problem. If even one car wheel was on the sidewalk, a person got a ticket. There were exceptions to who received tickets-- Builders were allowed to put their building supplies on the sidewalks for extended periods of time when putting additions on the houses. The building supplies remained there, apparently with the permission of the same owners who will not give beach visitors permission to park. Beach visitors received tickets there before parking was prohibited, when the sidewalk was so covered with dirt that it could not be seen even though the parking was legal.

Private survey distorts the facts

Driveways and accessibility were not blocked by those going to the beach, despite the survey by a private company which the Beach owner residents paid for to create a problem which did not otherwise exist. To try to prove that there would be sufficient parking even with the restrictions, the survey company and Beach owner side street residents came up with a list of paid parking that was not even in the area that was being restricted.

If you want to keep public parking on the beach, call Fort Lauderdale Mayor and Commissioners and the Fort Lauderdale Director of Parking and Fleet Services, John Hoelzle, (954) 828-3792.

Everett Charles
Fort Lauderdale, FL

City problems need federal oversight

I thank you for sending me your opposition newspaper and hope you continue to keep up your good work.

I travel all over the country running marathons in major cities such as New York and Los Angeles. I believe Fort Lauderdale has a bigger per capita crime problem than any major city in the U.S.

The cop on the beat is a decent, hard-working person but the decisions being made in City Hall about platooning the police and what crimes should be priorities are wrong and corrupt.

The last 10 years of the Jim Naugle "junta" that has controlled City Hall has been an aberration of ethics in an attempt to create a "new Fort Lauderdale." I believe we need federal oversight organizations to come into the city and restore basic democratic rights for the majority. Truth in journalism is one way of confronting these problems and I applaud the reporting in your newspaper.

Dennis Marsella
Fort Lauderdale, FL

Fort Lauderdale's Aviation Advisory Board

The March City News article on Fort Lauderdale Executive Airport contained a statement that "Commissioners have consistently appointed pilots and people with aviation and economic interests on the Aviation Advisory Board who rubber stamp FXE staff recommendations." When the FXE staff recommendation to eliminate multiple take offs and landings during weekends and holidays was voted, I insisted on seeing the language. Staff had omitted the holidays, the very time most people would have been at home and intimidated by the aircraft noise. Motion was made by me and duly seconded, and passed unanimously, to amend staff's recommendation and today folks enjoy some peace and quiet on their day off.

I am a pilot. I did not rubber stamp FXE
Continued on page 29

Submitting your letter to the Editor:

Your letters to the editor are welcome at the Fort Lauderdale City News. You should include your telephone number so that you may be called for verification. Your name will be included with your published letter to the editor.

Emailed letters are best - email your letter to: letters@citynewsfl.com
Letters can be mailed to:

Ft. Lauderdale City News
P. O. Box 347
300 E. Oakland Park Blvd.
Fort Lauderdale, FL 33334

Letters



recommendations. Appointed by Commissioner Gloria Katz, I served only to be removed by Commissioner Christine Teel who was present at the meeting when I insisted that FXE staff find the wording that would be enforceable for our neighborhoods.

Commissioner Teel would be asked later why I was no longer serving on the FXE Advisory Board. The answer: I was in the wrong political party. Indeed I was, because in 1978 one of the leading Republicans of Lubbock, Texas told me about Lubbock voting 103 years for Republicans. The father of President Bush lost that election but when he became President he closed Reese AFB. I thought that was an interesting way to treat his Republican friends. Need I say more about the rest of us?

PAUL RENNEISEN
Past Member FXE Advisory Board.

HYPOCRITE AT CITY HALL

At the last two City Commission meetings, Mayor Naugle has fostered a plan to introduce an ordinance governing actions by elected officials in the City of Fort Lauderdale, one of which is to raise monies for charity. He has berated his colleagues for their fund raising activities and even questioned their morals and ethics. He proposed penalties for taking this position that could be as simple as a fine or even as serious as a felony.

At the time he is attempting to enforce rigid controls and enforcement, he knew that his name and position was being used in an upcoming fund raising event for the Riverwalk Trust, a not for profit corporation. While the event is most worthwhile as are all fund raisers for the not for profits, this is the largest one of the year for Riverwalk using the honor of Mayor Jim Naugle as the drawing card for attendance, donations and participation in the organization. One would wonder since he is the originator of the proposed change why he would knowingly allow such a use, even if it was before any ordinance or resolution, as continues to state when asked.

During the exact same time period re-

ferred to above Mayor Naugle allowed the use of his title and office to solicit funds at the Blue Martini Fundraiser for Sister Cities, a 501C3, Not For Profit, Charitable organization, as well as the Black Tie Diplomats Gala at Hyatt Regency Pier 66 – again for Sister Cities – this invitation being at \$150 per person.

The facts are for over twelve years, Mayor Naugle has supported his pet charity, Sister Cities, with city employee labor, facilities, bulk mail postage and city symbols like custom made boats, keys to the city, bronze city seals all using tax payer dollars.

History says that Sister Cities was advised several years ago by the City of Fort Lauderdale that city dollars would no longer be contributed to the organization and that they should become financially independent. Former Sister Cities President, Randy Avon, vowed before the commission that Sister Cities would no longer accept tax payer dollars from the City of Fort Lauderdale after 2003. This year, Fort Lauderdale gave Sister Cities \$19,000.00. Neither Mayor Naugle, the City Commission, nor Sister Cities asked the public to participate in releasing general fund dollars.

City insiders report that the Sister Cities gravy train has been going on for years and the staff is tired of it. Expensive dinners for out of town guests were paid for using city purchasing cards in the past. City staff was routinely dispatched to pick up dignitaries from both Fort Lauderdale and Miami airports, seaports and who knows – maybe even the bus station. On one memorable occasion, the City Manager's office picked up the tab for two touring buses for the economic summit for the organization. None of these expenditures were planned into the budget or approved. They also were tax payer dollars expended for Mayor Naugle's pet charity.

Currently, Sister Cities is using city office space, phone service, fax service and bulk mail facilities and city staff to run their business. The City Manager claims they have paid rent but has offered no proof of that. Of greater

concern is if they have paid (before the current issue was raised) with what funds? Could it be those provided in the \$19,000 contribution – again tax payer dollars. This whole issue raises questions. Why did other Commissioners not know that Sister Cities had office space in city facilities; who authorized this public use?

Coming back to Mayor Naugle's concerns regarding the ethics of his fellow Commissioners, it is worse than the pot calling the kettle black. Mayor Naugle has set himself above the law. In a statement to the Sun Sentinel, he acknowledged that his name and position was used by Sister Cities but claims he did not explicitly authorize it. He went on to say that his suggested ethics policy is not yet in effect. If the lack of a policy that he is initiating excuses twelve years of abuse of position and staffing, why is the same courtesy not extended to his colleagues?

In summary, Mayor Naugle has deliberately created chaos among the Commission by insisting that others were doing things that he considered to be unethical while not applying the same standard to his own performance. He selectively provided copies to other commissioners of letters he found objectionable and representative of the kinds of violation his ethics policy would stop. He failed to provide copies of his own potential violation.

Stay tuned for the additions to the ordinance concerning lobbyist contributions and declarations, campaign donations, vendors or developers that do business with the city and anything they can think of to add to this penalty. Isn't it amazing that only now after over 20 years in office that the Mayor finds it of concern with the existing commission that there are ethical issues.

Sister Cities and Riverwalk Trust are not the topics as both are worthwhile organizations in need of assistance in continuing their good works, along with a myriad of other hardworking organizations. The lack of integrity shown by the Mayor to imply rampant misdeeds and in attempting to generate a punitive ordinance on the Commission and the public demonstrates a lack of leadership and concern. The many charities and other not for profits that rely on the good will of elected officials to assist in raising funds in order to become self sufficient rather than relying on public funding is lost. This item will be brought back to the Commission and will be available for public comment. The public should tell the Mayor and Commission how they feel.

Mayor Naugle and all four city commissioners can be reached at (954) 828-5003.

Dan Lewis,
Fort Lauderdale



Calendar

Gallery One Launches Lavish Sunday Brunch At Vue on the Water

After completing a close to \$25 million 'Extreme Makeover,' Gallery One Fort Lauderdale - A Doubletree Guest Suites Hotel, the landmark Intracoastal waterfront hotel formerly known as the Doubletree Guest Suites Galleria, has now turned their attention to creating an award winning dining experience, launching their much anticipated Sunday Brunch on April 1st, priced at \$35.00 plus tax and gratuity per person.



"Our new restaurant, Vue on the Water; and its offerings will appeal to both our guests and locals providing outdoor waterfront dining with unparalleled views of the Intracoastal. Guests can enjoy a 'boat parade' everyday while enjoying a delicious meal and their favorite libations," said General Manager Bill Derbins. Mr. Derbins is a 29 year veteran Hilton employee.

"Since our opening, we have devoted our full attention to completely overhauling and upgrading our food and beverage operation, starting with an absolutely delicious Sunday Buffet," said Chris Tompkins, Director of Marketing. Overseeing the restaurant is Cesar Matus, Director of Food and Beverage with the assistance of Executive Chef Mark Lewandowski at the helm of the kitchen. The hotel is at 2670 East Sunrise Boulevard in Fort Lauderdale. For information, call (954) 335-4607.

The Greater Fort Lauderdale Democratic Club

Congressman Ron Klein Featured

On Sunday May 6, 2006 - From 12:00 to 3:00 pm At TROPICAL ACRES RESTAURANT. Join Us For Great Food & Good Fun In A Landmark Setting. 2500 Griffin Road (1/2 Mile West of I-95) Fort Lauderdale, Luncheon \$40.00 Per Person.

All proceeds benefit The Greater Fort Lauderdale Democratic Club, 800 NW 3rd Avenue, #3, Fort Lauderdale, FL 33311-

Call 954-779-1669 for more information, or visit www.ftldc.org

First Annual Women In Distress Starfish Luncheon set for May 14 at Bahia Mar

Women In Distress (WID) will honor special supporters who are helping to make a difference in the lives of domestic violence victims at the First Annual Starfish Luncheon, presented by Maroone, on Monday, May 14, 11:30 a.m. at Bahia Mar, in Fort Lauderdale. More than 300

people will join forces to raise funds to aid men, women and children who are victims of domestic violence and recognize the special honorees. Event planning efforts are led by Co-Chairs Gale Butler (Maroone an AutoNation Company) and Melinda Lee (BankAtlantic).

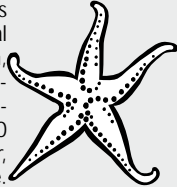
The honorees for this inaugural event are:

- BankAtlantic and Alan and Susie Levan as Corporate Citizens
- Silvia Mansons, Founder of WIDA, as Community Leader
- Lois Herman as Community Volunteer.

All have made significant contributions to Women in Distress through time, talent, resources and financial gifts. WID is proud to honor these fine individuals and company for their continual support.

The popular starfish story, inspired by the writing of Loren Eiseley, exemplifies how each and everyone of us can make a difference-one person at a time. Following that theme, the Starfish Luncheon honors those who are making a difference in the lives of domestic violence victims in Broward County. For those who have never heard the story, a rendition of it goes as follows, "A young girl and her grandmother were walking down the beach. It was a beautiful afternoon and the tide had pulled back leaving hundreds of starfish stranded on the sand. The girl began to run around, picking up the starfish and throwing them back into the water. Her grandmother laughed at her efforts and said "Why do you run about? There are hundreds of starfish and you are wasting your time. You can't possibly make a difference here."

Her granddaughter stopped, looked carefully at the starfish in her hand and threw it back into the water. She said "Grandma, that may be the case for all of them, but I can make a difference for that one."



WSVN Channel 7 anchor and long time Women In Distress supporter Lynn Martinez and Randy Rogers will be the event's emcees. A silent auction is among the fundraiser's planned attractions.

Supporters to date include Maroone, an AutoNation Company, Sun-Sentinel, JM Family Enterprises, Inc., BankAtlantic, Verizon Wireless, Edward Angells & Palmer, Memorial Healthcare System, Surrealty Title, Motorola, Vista Health Plan, and Bliss & Nyitray, Inc. Sponsorship, journal and auction donation opportunities are still available. Individual tickets are also available at a price of \$50 per person.

Women In Distress (WID) has served Broward County's domestic abuse victims for 32 years. WID offers a 24-hour crisis line, emergency shelter, counseling, advocacy and support to victims of abuse and their children. WID is the only nationally accredited, state-certified, full service domestic violence center serving Broward County. Their mission is to provide victims of domestic violence with safe shelter, crisis intervention and resources, and to educate the community in order to Stop Abuse For Everyone (SAFE) through Intervention, Education and Advocacy.

Last fiscal year, Women In Distress provided safe shelter to 482 women and children for a total of 20,732 days in their two shelters, and answered 3,750 calls on their 24-hour crisis line. 24-hour crisis line: 954-761-1133.

Please contact, Karen Skidmore at 954-332-3456 for more information.

Family Fun Night

FRIDAY APRIL 27th 5:00pm-8:30pm at Floyd Hull Stadium 800 SW 28TH ST, Fort Lauderdale presented by Harbor-dale Home and School Association. Carnival games, rock climbing, giant slide, bounce house, craft activities. Fun for all ages. Prize redemption booth. Food will be available for purchase. Unlimited bracelets available for purchase \$10.00 in advance or \$15.00 at the door. 954-303-8477.

Garden Club to host Arbor Day Celebration

The Fort Lauderdale Garden Club and the City of Fort Lauderdale Parks and Recreation host its annual Arbor Day Celebration on Saturday, April 28, 10 am, at George English Park, 1101 Bayview Drive, with a dedication of donated trees and the presentation of the National Tree City Award to the City of Fort Lauderdale.

Trees will be distributed free to the public. Call 954-561-8475 for more information.

BONNET HOUSE EVENTS

Watercolor Class - Wednesday, April 11 9:30am - 12:30pm

RSVP (954)563-5393 X122 or susanparker@bonnethouse.org
\$15 members, \$18 non-members



Young Artist Music Series

- featuring Florida Grand Opera
Thursday, April 12 7:00pm - 9:00pm
RSVP (954)563-5393 X124
\$22.50 members, \$27 non-members
- Price includes performance, wine, canapés & dessert.

Pastel Painting Workshop
Thursday & Friday, April 19 & 20
9:30am - 3:30pm

Participants encouraged to bring their lunch
RSVP (954)563-5393 X122 or susanparker@bonnethouse.org
\$63 members, \$70 non-members

900 N. Birch Road
Fort Lauderdale, FL 33304
Phone: 954.563.5393
Fax: 954.561.4174
Email: www.bonnethouse.org

HOSPICE 100 5K RUN

Get ready for the 6th Annual 17th Street Bridge 5K Run and Fitness Walk, Hospice Hundred is pleased to invite you to join us in this important charitable/athletic event of the 2007 season. Entertainment and refreshments will be served following the run. Pre-registration is scheduled for 10 days prior to race day at Runner's Depot in Davie and Running Wild in Fort Lauderdale and online at www.splitsecondtiming.com.

For further information about participating in the race or becoming a sponsor of the 6th Annual 17th Street Bridge 5k Run and Fitness Walk, contact Judy Bertolett at 954-525-7843 or visit www.splitsecondtiming.com or www.hospicecareflorida.org

Announcements for this Calendar section can be emailed to:

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or call (954) 564-1308.



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